

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAMON LAMAR CAMPBELL,
Appellant(s),

vs.

THE STATE OF NEVADA,
Respondent(s),

Electronically Filed
Oct 01 2021 07:47 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

Case No: 00C170186
Consolidated with 00C169550
Docket No: 83188

RECORD ON APPEAL VOLUME 1

ATTORNEY FOR APPELLANT
DAMON CAMPBALL # 71683,
PROPER PERSON
P.O. BOX 7007
CARSON CITY, NV 89702

ATTORNEY FOR RESPONDENT
STEVEN B. WOLFSON,
DISTRICT ATTORNEY
200 LEWIS AVE.
LAS VEGAS, NV 89155-2212

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1 IND
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

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SEP 22 11 53 AM '00

Shirley L. Rungius
CLERK

DISTRICT COURT
CLARK COUNTY, NEVADA

8 THE STATE OF NEVADA,

9 Plaintiff,

10 -vs-

11 SHELDON HOLLIMON,
12 #1203836

13 Defendant(s).

Case No. C170186
Dept. No. XV

INDICTMENT

16 STATE OF NEVADA }
17 COUNTY OF CLARK } ss.

18 The Defendant(s) above named, SHELDON HOLLIMON, accused by the Clark County
19 Grand Jury of the crimes of MURDER WITH USE OF A DEADLY WEAPON (Felony -
20 NRS 200.010, 200.030, 193.165) and ATTEMPT MURDER WITH USE OF A DEADLY
21 WEAPON (Felony - NRS 193.330, 200.010, 200.030, 193.165), committed at and within the
22 County of Clark, State of Nevada, on or about the 22nd day of July, 2000, as follows:

23 COUNT I - MURDER WITH USE OF A DEADLY WEAPON

24 Defendants DAMON LAMAR CAMPBELL and SHELDON HOLLIMON did then and
25 there wilfully, feloniously, without authority of law, and with premeditation and deliberation,
26 and with malice aforethought, kill ALBERTO MARTINEZ, a human being, by shooting at and
27 into the body of the said ALBERTO MARTINEZ, with a deadly weapon, to-wit: a firearm,
28 and/or by Defendant DAMON LAMAR CAMPBELL engaging in a course of conduct whereby

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1 the killing occurred during the commission of an unlawful act, which, in its consequences,
2 naturally tended to destroy the life of a human being, or was committed in the prosecution of
3 felonious intent, by Defendant DAMON LAMAR CAMPBELL, aiming a firearm at ALBERTO
4 MARTINEZ and thereafter discharging the said firearm causing the death of the said ALBERTO
5 MARTINEZ; Defendant DAMON LAMAR CAMPBELL directly committing said acts and/or
6 Defendants DAMON LAMAR CAMPBELL and SHELDON HOLLIMON aiding or abetting
7 each other by acting in concert and/or DAMON LAMAR CAMPBELL and SHELDON
8 HOLLIMON being present before, during and after said acts and/or directly or indirectly
9 counseling, encouraging, assisting, hiring, commanding, inducing, procuring or supervising each
10 others actions; Defendants acting pursuant to a common conspiracy to commit murder.

11 COUNT II - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON

12 Defendants DAMON LAMAR CAMPBELL and SHELDON HOLLIMON did then and
13 there, without authority of law, and with malice aforethought, wilfully and feloniously attempt
14 to kill CARLOS VILLANUEVA, a human being, by the said Defendant shooting at the said
15 CARLOS VILLANUEVA, with a deadly weapon, to-wit: a firearm, Defendant DAMON
16 LAMAR CAMPBELL directly committing said acts and/or Defendants DAMON LAMAR
17 CAMPBELL and SHELDON HOLLIMON aiding or abetting each other by acting in concert
18 and/or DAMON LAMAR CAMPBELL and SHELDON HOLLIMON being present before,
19 during and after said acts and/or directly or indirectly counseling, encouraging, assisting, hiring,
20 commanding, inducing, procuring or supervising each others actions; Defendants acting pursuant
21 to a common conspiracy to commit murder.

22 COUNT III - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON

23 Defendants DAMON LAMAR CAMPBELL and SHELDON HOLLIMON did then and
24 there, without authority of law, and with malice aforethought, wilfully and feloniously attempt
25 to kill LEONARDO MARTINEZ, a human being, by the said Defendant shooting at the said
26 LEONARDO MARTINEZ, with a deadly weapon, to-wit: a firearm, Defendant DAMON
27 LAMAR CAMPBELL directly committing said acts and/or Defendants DAMON LAMAR
28 CAMPBELL and SHELDON HOLLIMON aiding or abetting each other by acting in concert

1 and/or DAMON LAMAR CAMPBELL and SHELDON HOLLIMON being present before,
2 during and after said acts and/or directly or indirectly counseling, encouraging, assisting, hiring,
3 commanding, inducing, procuring or supervising each others actions; Defendants acting pursuant
4 to a common conspiracy to commit murder.

5 DATED this 21st day of September, 2000.

6 STEWART L. BELL
7 DISTRICT ATTORNEY
8 Nevada Bar #000477

9 BY David J. Roger
10 DAVID J.J. ROGER
11 Chief Deputy District Attorney
Nevada Bar #002781

12 ENDORSEMENT: A True Bill

13 Alan Silverblatt
14 Foreperson, Clark County Grand Jury

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Names of witnesses testifying before the Grand Jury:

DA#00AGJ037X/kjh
LVMPD EV#0007220165
MURDER W/WPN; ATT
MURDER W/WPN - F

1 Names of witnesses testifying before the Grand Jury:

2 GREEN, DR. GILES
3 CCME
4 1704 PINTO LN, LVN

VILLANUEVA, CARLOS
2929 ELM, #1
LAS VEGAS, NV

4 MARTINEZ, LEONARDO
5 2730 MARLIN #3
6 LAS VEGAS, NV

MARIN, TOM
LVMPD #2894
HOMICIDE

6 Additional witnesses known to the District Attorney at the time of filing this Indictment
7 are as follows:

8 ADAMS,
9 LV FIRE DEPT.
10 ENGINE #8

HERIFORD, R.
1704 PINTO LN - CORONER
LAS VEGAS, NV

10 BANGLE, J.
11 LVMPD #4677
12 FSD

HESSLINK,
AMR UNIT #923
LAS VEGAS, NV

12 BARKER, CHARLES
13 2933 ELM, #4
14 LAS VEGAS, NV

JOHNSON, K.
LVMPD #2075
G/A

14 CELIS-ORTIZ, GRACIELA
15 ADDRESS UNKNOWN
16 MEXICO

JORDAN, K.
LVMPD #3715
G/A

16 CHERRY,
17 AMR UNIT #892
18 LAS VEGAS, NV

JUAREZ, R.
LVMPD #3831
JUVENILE

18 DUVALL, R.
19 LVMPD #2876
20 FSD

KING, G.
LVMPD #1519
G/A

20 EMBRY, C.
21 LVMPD #6223
22 FSD

LIGHT, D.
1704 PINTO LN - CORONER
LAS VEGAS, NV

22 GOMEZ, HUMBERTO
23 2920 POPLAR, #1
24 LAS VEGAS, NV

MARTINEZ, JUDITH
ADDRESS UNKNOWN
LAS VEGAS, NV

24 HAGER, J.
25 LVMPD #6004
26 FSD

MARTINEZ, AGUSTIN
2730 MARLIN #3
LAS VEGAS, NV

26 HEFNER, KEN
27 LVMPD #2185
28 HOMICIDE

MATVAY, JOE
LVMPD #1883
CSA

1 MCNETT, MARK
LVMPD #3550
2 HOMICIDE
3 MENENDEZ, VERONICA
2937 ELM AVE, #3
4 LAS VEGAS, NV
5 MENENDEZ, MARIO
2937 ELM AVE.
6 LAS VEGAS, NV
7 MENENDEZ, WILFREDO
2937 ELM AVE., #3
8 LAS VEGAS, NV
9 MILLER, B.
LVMPD #5132
10 FSD
11 MINOLETTI, G.
LVMPD #6199
12 FSD
13 MORGAN, B.
LVMPD #4216
14 G/A
15 MORTEL,
AMR UNIT #923
16 LAS VEGAS, NV
17 MORTON, LARRY
LVMPD #4935
18 CSA
19 NEHRBASS,
AMR UNIT #892
20 LAS VEGAS, NV
21 NEIL, KELLY
LVMPD #5410
22 CSA
23 NUTLEY, PAULA
P. O. BOX
24 PAHRUMP, NV
25
26
27 DA#00AGJ037X/kjh
LVMPD EV#0007220165
MURDER W/WPN; ATT
28 MURDER W/WPN - F

O'BRIEN, D.
1704 PINTO LN - CORONER
LAS VEGAS, NV

PERRY, S.
LVMPD #6510
FSD

PULLIAM, F.
LVMPD #5412
CSA

RAPAGLIA, ALISSA
7300 PIRATES COVE #29-2094
LAS VEGAS, NV

REFF,
LV FIRE DEPT
ENGINE #8

RODRIGUEZ, C.
LVMPD #3735
FSD

TELGENHOFF, GARY
1704 PINTO LN - CORONER
LAS VEGAS, NV

TRUE, CAROLYN
CCDC - R.N.
LAS VEGAS, NV

TURNER, D.
LVMPD #6425
FSD

VILLANUEVA, RIGOBERTO
2929 ELM, #1
LAS VEGAS, NV

VILLANUEVA, NOE
2929 ELM ST., #1
LAS VEGAS, NV

VILLANUEVA, SIMON
2929 N. ELM, #1
LAS VEGAS, NV

WEST, THERESA
2933 ELM AVE., #2
LAS VEGAS, NV

1 0001
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

FILED
OCT 3 3 33 PM '00
CLERK

DISTRICT COURT
CLARK COUNTY, NEVADA

8 THE STATE OF NEVADA,

9 Plaintiff,

10 -VS-

11 DAMON LAMAR CAMPBELL,
12 #1196647
13 SHELDON HOLLIMON,
14 #1203836

15 Defendants.

Case No. C169550 & C170186
Dept. No. XV & VIII
Docket L & M

17 NOTICE OF MOTION AND MOTION TO
18 JOIN DEFENDANTS

19 DATE OF HEARING: 10-17-00
20 TIME OF HEARING: 8:30 A.M.

21 COMES NOW, the State of Nevada, by STEWART L. BELL, District Attorney, through
22 DAVID J.J. ROGER, Chief Deputy District Attorney, and files this Notice of Motion and
23 Motion to Join Defendants.

24 This Motion is made and based upon all the papers and pleadings on file herein, the
25 attached points and authorities in support hereof, and oral argument at the time of hearing, if
26 deemed necessary by this Honorable Court.

27 ///

28 ///

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NOT A JUDGE
COUNTY CLERK

1 State, 105 Nev. 735, 782 P.2d 1340 (1989); Lovell v. State, 92 Nev. 128, 132, 546 P.2d 1301,
2 1303 (1976).

3 In the instant case, Defendant Damon Campbell was arrested and charged with Murder
4 With Use of a Deadly Weapon and three counts of Attempt Murder With Use of a Deadly
5 Weapon. The charges arise out of a shooting that took place on July 22, 2000. Later, Defendant
6 Sheldon Hollimon was indicted by the Clark County Grand Jury on the same charges.
7 Accordingly, the State requests that the court order that both Defendants be tried together.

8 DATED this 2ND day of October, 2000.

9 STEWART L. BELL
10 DISTRICT ATTORNEY
Nevada Bar #000477

11 BY David J. J. Roger
12 DAVID J.J. ROGER
13 Chief Deputy District Attorney
14 Nevada Bar #002781
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DISTRICT COURT

CLARK COUNTY, NEVADA

OCT 12 8 47 AM '00

BEFORE THE GRAND JURY IMPANELED BY THE AFORESAID

DISTRICT COURT

THE STATE OF NEVADA,

Plaintiff,

vs.

SHELDON HOLLIMON
#1203836

Defendant.

) Case No. *C170186*
) 00AGJ037X
)

) Murder With Use Of
) A Deadly Weapon;
) Attempt Murder With
) Use Of A Deadly
) Weapon
)

Taken at Las Vegas, Nevada

Thursday, September 21, 2000

8:45 A.M.

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Reported by: Brenda Anne Lee, C.C.R. No. 198

CE15

COUNTY CLERK

OCT 12 2000

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1 GRAND JURORS PRESENT ON SEPTEMBER 21, 2000:

2
3 ALAN SILVERBLATT, Foreman

4 RICHARD LEE ANDREWS, Deputy Foreman

5 MARJORIE J. PERRIN, Secretary

6 KARLA J. RAY, Assistant Secretary

7 EVA MAE ALLENEGUI

8 BARBARA COLUCCI

9 AUDREY SARA ESPOSITO

10 JAMES FULCHER

11 BEATRICE HOFFMAN

12 OZZIE M. HOOD

13 RUBY A. LOPEZ-OWENS

14 HASKELL GLENN O'BRIEN

15 LEON ALFRED PEARSON

16 ELSIE ROCA

17 KENNETH D. SHADE

18 RUTH R. TAFOYA

19 CYNTHIA WESSON

20
21 Also present at the request of the Grand Jury:

22 DAVID J.J. ROGER,
23 Chief Deputy District Attorney

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INDEX OF WITNESSES

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THOMAS MARIN	37

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---o0o---

1 LAS VEGAS, NEVADA, SEPTEMBER 21, 2000, 8:45 A.M.

2
3 BRENDA ANNE LEE,

4 having been first duly sworn to
5 faithfully and accurately transcribe
6 the following proceedings to the best
7 of her ability.

8
9 THE FOREMAN: Let the record reflect
10 that I have canvassed the waiting area and there is
11 no one present there in response to the Notice of
12 Intent to Seek Indictment.

13 MR. ROGER: Mr. Foreman, may I proceed?

14 THE FOREMAN: Go ahead.

15 MR. ROGER: Good morning, ladies and
16 gentlemen. My name is David Roger. I'm a
17 prosecutor with the Clark County District Attorney's
18 Office. This morning I'm going to be presenting the
19 case of State of Nevada versus Sheldon Hollimon. He
20 is charged by way of this proposed Indictment with
21 one count of murder with use of a deadly weapon and
22 two counts of attempted murder with use of a deadly
23 weapon.

24 May I call my first witness?

25 THE FOREMAN: Yes.

1 Please raise your right hand.

2 You do solemnly swear that the
3 testimony that you are about to give upon the
4 investigation now pending before this Grand Jury
5 shall be the truth, the whole truth and nothing but
6 the truth, so help you God?

7 DR. GREEN: I do.

8 THE FOREMAN: Please be seated.

9 You're advised that you are here
10 today to give testimony in the investigation
11 pertaining to the offenses of murder with use of a
12 deadly weapon and attempt murder with use of a
13 deadly weapon as set forth in the proposed
14 Indictment involving one Sheldon Hollimon.

15 Do you understand this
16 advisement?

17 DR. GREEN: I'm not familiar with the
18 possible defendant. The only name that I have is
19 the victim.

20 THE FOREMAN: But you do understand
21 what I have advised you?

22 DR. GREEN: Yes.
23
24
25

1 GILES SHELDON GREEN,

2 having been first duly sworn by the
3 Foreman of the Grand Jury to testify to
4 the truth, the whole truth and nothing
5 but the truth, testified as follows:

6
7 EXAMINATION

8
9 BY MR. ROGER:

10 Q. Please state your name and spell your
11 last name for us.

12 A. Giles Sheldon Green, G-r-e-e-n.

13 Q. Dr. Green, what is your business or
14 occupation?

15 A. I'm a physician. My specialty is
16 forensic pathology, and I'm currently employed as a
17 medical examiner in the Clark County Coroner Medical
18 Examiner Department.

19 Q. Dr. Green, have you testified in courts
20 of law here in Clark County as an expert in the area
21 of forensic pathology?

22 A. Many times.

23 Q. Have you testified before this present
24 Grand Jury on prior occasions?

25 A. I believe I have.

MR. ROGER: Is that correct, Mr.

Foreman?

THE FOREMAN: Yes.

MR. ROGER: Will the Grand Jury accept Dr. Green as an expert in forensic pathology?

THE JURY: (in unison) Yes.

MR. ROGER: Does the Grand Jury have any questions of his qualifications that they'd like to ask at this time?

THE JURY: (in unison) No.

BY MR. ROGER:

Q. Dr. Green, is there a procedure followed by the Clark County Medical Examiner's Office concerning the documentation of autopsies which are performed in your office?

A. Yes.

Q. Is it true that the medical examiner that performs the autopsy dictates his findings -- his or her findings as they perform the autopsy, and thereafter the tape is transcribed, the transcription is reviewed by the medical examiner who performed the autopsy, and then the document is filed with your office at the Clark County Coroner's Office?

A. That is correct.

1 Q. Dr. Green, I'm showing you Grand Jury
2 Exhibit Number 4. This is an autopsy report dated
3 July 22nd of the year 2000 concerning the
4 post-mortem autopsy of Luis Martinez authored by Dr.
5 Gary Telgenhoff.

6 Do you recognize that document?

7 A. Yes, I do. I have a copy of it here.

8 Q. Have you had an opportunity to review
9 the copy of the autopsy report?

10 A. Yes.

11 Q. Now, will you please tell us just
12 generally what Dr. Telgenhoff's findings were with
13 respect to his external examination?

14 A. In the external examination, the
15 primary and critical findings were gunshot wound to
16 the head. The wound of entry come from the left
17 side coming through the edge of the ear or through
18 the outer part of the ear into the head going
19 through the brain out the right.

20 Q. Did Dr. Telgenhoff perform an internal
21 examination?

22 A. Yes.

23 Q. What was Dr. Telgenhoff's significant
24 findings?

25 A. The significant findings are confined

1 to the head. The decedent was a young individual
2 around 20 years old, as I recall it, and apparently
3 good health.

4 Q. Did Dr. Telgenhoff form an opinion as
5 to the cause of Alberto or Luis Martinez' death?

6 A. Yes.

7 Q. What was Dr. Telgenhoff's opinion?

8 A. It is his opinion as recorded here that
9 death was due to gunshot wound of the head.

10 Q. Did he form an opinion as to the manner
11 of death?

12 A. Yes.

13 Q. What was that opinion?

14 A. His opinion was this was a homicidal
15 death.

16 Q. Do you concur with Dr. Telgenhoff's
17 manner of death?

18 A. Based on review of his records, yes, I
19 do.

20 Q. I'm showing you Grand Jury Exhibit
21 Numbers 3 and 4 (sic.), recognizing that you didn't
22 personally see the body.

23 Do Grand Jury Exhibits Numbers 3
24 and 4 (sic.) appear to reflect injuries on a young
25 Hispanic male which are consistent with Dr.

1 Telgenhoff's findings?

2 A. Yes, they are.

3 Your Exhibit 3 is a close-up
4 view of the left side of the head. The ear is just
5 off center. Somebody's gloved hand is holding the
6 outside of the ear away, and you can see under the
7 assistant's index fingertip a part of the wound of
8 the ear itself, and then directly behind it about
9 where I have my fingertip there is a wound of entry
10 into the head.

11 Your Exhibit 2 is a view of the
12 right side of the head and the angle of the
13 photograph, it shows the wound of exit above and
14 behind the tail of his right eyebrow which would be
15 about here (indicating).

16 Q. You're pointing to your left temple?

17 A. Right.

18 MR. ROGER: Thank you.

19 That concludes my examination.

20 Any questions, Mr. Foreman?

21 THE FOREMAN: Questions, jury?

22 (No response.)

23 THE FOREMAN: By law, these proceedings
24 are secret, and you are prohibited from disclosing
25 to anyone anything that transpired before us

1 including evidence presented to the Grand Jury, any
2 event occurring or a statement made in the presence
3 of the Grand Jury, and information obtained by the
4 Grand Jury.

5 Failure to comply with this
6 admonition is a gross misdemeanor, punishable by a
7 year in the Clark County Detention Center and a
8 \$2,000 fine. In addition, you may be held in
9 contempt of court punishable by an additional \$500
10 fine and 25 days in the Clark County Detention
11 Center.

12 Do you understand this
13 admonition?

14 THE WITNESS: I do.

15 THE FOREMAN: You're excused.

16 (Witness excused.)

17 THE FOREMAN: You do solemnly swear
18 that the testimony that you are about to give upon
19 the investigation now pending before this Grand Jury
20 shall be the truth, the whole truth and nothing but
21 the truth, so help you God?

22 MR. LEONARDO MARTINEZ: Yes.

23 MR. ROGER: Sir, are you a court
24 appointed interpreter?

25 MR. BERRY: Yes, sir.

1 MR. ROGER: Please state your name.

2 MR. BERRY: Michael T. Berry,
3 B-e-r-r-y.

4 MR. ROGER: Mr. Berry, do you swear to
5 translate the following proceedings from English
6 into Spanish and from Spanish into English?

7 MR. BERRY: Yes, I do.

8 MR. ROGER: You have been qualified by
9 the Eighth Judicial District Court as a court
10 appointed Spanish interpreter?

11 MR. BERRY: Yes, I have.

12 THE FOREMAN: You are advised that you
13 are here today to give testimony in the
14 investigation pertaining to the offenses of murder
15 with use of a deadly weapon and attempt murder with
16 use of a deadly weapon, the offenses as set forth in
17 the proposed Indictment of one Sheldon Hollimon.

18 Do you understand this
19 advisement?

20 MR. LEONARDO MARTINEZ: Yes.

21

22

23

24

25

1 MICHAEL T. BERRY,

2 having been first duly sworn by the
3 Foreman of the Grand Jury to translate
4 from English into Spanish and from
5 Spanish into English to the best of his
6 ability.

7
8 LEONARDO MARTINEZ,

9 having been first duly sworn by the
10 Foreman of the Grand Jury to testify to
11 the truth, the whole truth and nothing
12 but the truth, testified through an
13 interpreter as follows:

14
15 EXAMINATION

16
17 BY MR. ROGER:

18 Q. Please state your name and spell your
19 last name for us.

20 A. Leonardo Martinez, M-a-r-t-i-n-e-z.

21 Q. Mr. Martinez, I'd like to direct your
22 attention to Saturday, July 22nd of the year 2000 at
23 approximately 1:30 a.m.

24 Were you with friends in the
25 alleyway to the rear of 2933 Elm Avenue, Apartment

1 Number 2, in Las Vegas, Clark County, Nevada?

2 A. Yes, I was there.

3 Q. Were you with Carlos Villanueva?

4 A. Yes.

5 Q. Alberto Luis Martinez?

6 A. Yes.

7 Q. Augustine Martinez?

8 A. Yes.

9 Q. Umberto Gomez?

10 A. Yes.

11 Q. Wilfredo Menendez?

12 A. Yes.

13 Q. Simon Villanueva and Wigberto
14 Villanueva?

15 A. Yes. Yes.

16 Q. Had all of you or many of you been
17 playing soccer earlier on Friday evening?

18 A. Yes. We were playing football earlier.

19 Q. And when you refer to football, are you
20 referring to what the Americans call soccer?

21 A. Yes, soccer.

22 Q. Thereafter, did you go back to
23 someone's apartment in the complex to watch a soccer
24 game and drink some beer?

25 A. Yes.

1 Q. At about 1:30 a.m. were you and your
2 friends in that back alley that I just described?

3 A. Yes.

4 Q. Did any of your friends or yourself
5 have weapons that night?

6 A. No.

7 Q. Did you have any beer to drink that
8 night yourself?

9 A. Yes.

10 Q. How many beers had you had that
11 evening?

12 A. Some, four. Three or four.

13 Q. Over what period of time had you been
14 drinking those three to four beers?

15 A. From about 11:00 to 1:00 because at
16 that time I was no longer drinking.

17 Q. Were any of your friends drunk that
18 evening?

19 A. None of us were very drunk. We were
20 all pretty much aware of what was going on.

21 Q. What was the mood that evening among
22 your friends?

23 A. It was good. We were just talking
24 about soccer.

25 Q. Did there come a point in time when a

1 person later identified to you as Damon Campbell and
2 Sheldon Hollimon arrived in the back alleyway?

3 THE INTERPRETER: What was the other
4 name?

5 MR. ROGER: Damon Campbell.

6 THE WITNESS: Yes.

7 BY MR. ROGER:

8 Q. Did you know either of these two
9 individuals prior to that evening, early morning
10 hours?

11 A. No, never.

12 Q. How is it that these two individuals
13 arrived?

14 A. We were just sitting there. Well, me
15 and my brother, but we had separated ourselves from
16 the rest of the group. We were sitting on the
17 corner when Damon and his partner arrived. They
18 came in a white car. They parked and went into
19 their apartment.

20 Q. Could you see which apartment they went
21 into? Was it Apartment Number 2?

22 A. Well, they didn't actually go into the
23 apartment. They went into the little yard there
24 that's in between the apartments.

25 Q. How long were they gone?

1 A. It was just a matter of two or three
2 seconds that I lost sight of them and then they came
3 right back.

4 Q. The person that you're referring to as
5 Sheldon Hollimon, would you recognize a photograph
6 of him again?

7 A. Yes.

8 Q. I'm showing you Grand Jury Exhibit
9 Number 5.

10 Do you recognize the individual
11 who's depicted in that photograph?

12 A. Yes, but at that time he had long curly
13 hair.

14 Q. So the individual who's depicted in
15 that photograph is Sheldon Hollimon?

16 A. Yes. It looks like him.

17 Q. When Mr. Campbell and Mr. Hollimon
18 returned seconds later, did you see whether they had
19 anything in their possession?

20 A. Yes.

21 Damon was carrying a pistol like
22 this (indicating) right next to his leg and the
23 other guy was coming behind him.

24 Can I say it in English like I
25 heard it?

1 Q. Do you speak a little bit of English?

2 A. Yes, sure. I understand a little, very
3 little.

4 Q. Okay. Did the -- did either one of
5 these individuals say anything to the group of your
6 friends?

7 A. Yes. That's what I was going to tell
8 you what he said.

9 Q. Who said something to the group?

10 A. Damon.

11 Q. What did Damon Campbell say to your
12 group?

13 A. We don't want to see Mexicans here at
14 the corner where we were sitting down.

15 Q. When Damon Campbell said that we don't
16 want to see any Mexicans here any more, did he still
17 have the gun in his hand?

18 A. He raised it up, and he hit my brother
19 with it in the face, in the ear, in the face.

20 Q. What is your brother's name?

21 A. Augustine Martinez.

22 Q. Augustine?

23 A. Yes, Augustine Martinez.

24 Q. What happened at that point?

25 A. My brother fell on the ground. And

1 when he fell on the ground, all of the guys came
2 over to see what was happening. And when my brother
3 was lying on the ground, Damon began to shoot.

4 Q. Sheldon Hollimon, was he still present
5 at the time that Damon Campbell struck your brother
6 in the head and started shooting?

7 A. Yes.

8 He was behind him. And he told
9 them shoot, shoot. He was making a gesture like
10 this (indicating) and saying shoot, and all the time
11 he was behind him

12 Q. You just -- you just gestured that
13 Sheldon Hollimon had his two arms above his head
14 pointing towards the group of individuals and saying
15 shoot him, shoot him?

16 A. Yes. Yes.

17 Q. Did Sheldon Hollimon have a gun?

18 A. No.

19 Q. When Damon Campbell first started
20 shooting, where did he shoot?

21 A. Toward at us, you know, at a medium
22 distance from us.

23 Q. Did you say anything to either Damon
24 Campbell or Sheldon Hollimon?

25 A. Yes.

1 I told him don't shoot. I
2 shouted very loud several times don't shoot. I
3 don't want any trouble. And just as he was
4 shooting, my three-year-old son ran out from the
5 house, and I shouted again, you know, don't shoot.
6 There's a child there. He kept shooting, and he
7 kept shouting or shooting and saying what's one
8 little Mexican more less.

9 Q. How many shots were fired by Mr.
10 Campbell?

11 A. Three or four.

12 Q. Where was Mr. Hollimon as Damon
13 Campbell was firing these three or four shots?

14 THE INTERPRETER: The other person --
15 I'm sorry. I'm getting the names confused.

16 BY MR. ROGER:

17 Q. As Damon Campbell was firing the gun,
18 what was Sheldon Hollimon doing?

19 A. He was telling them and showing him
20 that he should shoot. He didn't try to calm -- he
21 induced him to keep shooting.

22 Q. Did you see that Alberto Martinez or
23 Luis Martinez had been shot?

24 A. When they were behind the pickup truck,
25 yes.

1 Q. While who was behind the pickup truck?

2 A. Luis and Simon.

3 Q. Was Carlos Villanueva struck by a
4 bullet?

5 A. Yes.

6 Q. What about Leonardo Martinez?

7 A. No. Just brushed, just scraped.

8 Q. You're saying that Luis or Leonardo
9 Martinez suffered a graze wound?

10 A. Well, Luis was killed, and I suffered
11 this brush of a bullet. And Carlos was shot and yet
12 he can't walk now.

13 Q. Where were you struck by the bullet?

14 A. Me, right here (indicating.)

15 Q. You're pointing to your right forearm?

16 A. Yes.

17 That was when -- well, after I
18 picked up my son. That's when I realized that I had
19 that.

20 Q. Did there come a point in time when
21 Damon Campbell and Sheldon Hollimon left the area?

22 A. Damon ran off. Alberto, Javier --
23 Umberto, Augustine. He ran them off.

24 Q. Was Damon and Campbell chasing after
25 them with a gun?

1 A. Yes. Shooting, yes.

2 Q. Did you hear any more shots as he was
3 chasing after your friends?

4 A. Yes.

5 Q. How many shots did you hear?

6 A. Like two.

7 Q. Where did Sheldon Hollimon go?

8 A. I didn't see.

9 Q. Did you see either one of these
10 individuals, either Damon Campbell or Sheldon
11 Hollimon, enter an apartment?

12 A. No. I didn't see them go in.

13 Q. Were the police called by someone to
14 respond to your area?

15 A. Yes, I did.

16 Q. When the police arrived, did you see
17 them enter an apartment and bring certain
18 individuals out?

19 A. Yes.

20 Q. Which apartment did the police enter?

21 A. In the corner where the accident was.

22 Q. Is that Apartment Number 2?

23 A. I don't know the number.

24 Q. When the police brought the individuals
25 out of the apartment, did you see the individuals?

1 A. No.

2 MR. ROGER: That concludes my
3 examination.

4 Any questions?

5 THE FOREMAN: Jury, any questions?

6 BY A JUROR:

7 Q. When you were shouting don't shoot,
8 were you speaking English or Spanish?

9 A. In English.

10 BY THE FOREMAN:

11 Q. Did you see the type of gun that
12 Campbell had in his hand?

13 A. No.

14 Q. You didn't see it?

15 A. He was grabbing it like this
16 (indicating) so I could just see the barrel.

17 Q. Did you see it when he was shooting the
18 gun?

19 A. Yes.

20 Q. Could you identify the type of gun?
21 Was it a revolver or an automatic?

22 A. No, I couldn't.

23 BY A JUROR:

24 Q. What was the name of his friend that
25 was killed?

1 A. That's my brother.

2 Q. What was his name?

3 A. Luis. Luis Martinez.

4 BY MR. ROGER:

5 Q. I have a follow-up.

6 Does he also go by Alberto
7 Martinez?

8 A. Yes.

9 BY A JUROR:

10 Q. Apparently you all live in the same
11 apartment complex. Had you ever had any conflict or
12 confrontations with these people before?

13 A. No, never. We don't live there. We
14 went to visit.

15 THE FOREMAN: Any further questions,
16 jury?

17 BY A JUROR:

18 Q. How come your son was there?

19 A. He was inside watching television with
20 daughter and he came out running and my boy followed
21 him out.

22 THE FOREMAN: Any questions, jury?

23 (No response.)

24 THE FOREMAN: Okay. By law, these
25 proceedings are secret, and you are prohibited from

1 disclosing to anyone anything that transpired before
2 us including evidence presented to the Grand Jury,
3 any event occurring or a statement made in the
4 presence of the Grand Jury, or any information
5 obtained by the Grand Jury.

6 Failure to comply with this
7 admonition is a gross misdemeanor, punishable by a
8 year in the Clark County Detention Center and a
9 \$2,000 fine. In addition, you may be held in
10 contempt of court punishable by an additional \$500
11 fine and 25 days in the Clark County Detention
12 Center.

13 Do you understand this
14 admonition?

15 MR. VILLANUEVA: Yes.

16 THE FOREMAN: You're excused.

17 (Witness and interpreter excused.)

18 THE FOREMAN: Raise your right hand,
19 please.

20 You do solemnly swear that the
21 testimony that you're about to give upon the
22 investigation now pending before this Grand Jury
23 shall be the truth, the whole truth and nothing but
24 the truth, so help you God?

25 MR. VILLANUEVA: Yes.

1 THE FOREMAN: You're advised today to
2 give testimony in the investigation pertaining to
3 the offenses of murder with use of a deadly weapon
4 and attempt murder with use of a deadly weapon
5 offenses set forth in the proposed Indictment of
6 Sheldon Hollimon.

7 Do you understand this
8 advisement?

9 MR. VILLANUEVA: Yes.

10
11 MICHAEL T. BERRY,

12 having been first duly sworn by the
13 Foreman of the Grand Jury to translate
14 from English into Spanish and from
15 Spanish into English to the best of his
16 ability.

17
18 CARLOS VILLANUEVA,

19 having been first duly sworn by the
20 Foreman of the Grand Jury to testify to
21 the truth, the whole truth and nothing
22 but the truth, testified through an
23 interpreter as follows:
24
25

EXAMINATION

BY MR. ROGER:

Q. Please state your name and spell your first and last name for us.

A. Carlos Villanueva. C-a-r-l-o-s V-i-l-l-a-n-u-e-v-a.

Q. Mr. Villanueva, how old are you?

A. 28.

Q. I'd like to direct your attention to Saturday, July 22nd, 2000, at about 1:30 a.m.

Were your friends in the rear alleyway of 2933 Elm Avenue, Apartment Number 2, in Las Vegas, Clark County, Nevada?

A. Well, it's not exactly an alley. It's just beside where we live.

Q. Now, had you been with your friends earlier during the evening of -- or Friday evening?

A. Yes. We had gone to practice soccer a bit.

Q. Did you live in that apartment complex?

A. Yes, there I live.

Q. Did the group return to your apartment and watch a soccer game on TV and drink beer during the evening hours of Friday into the early hours of

1 Saturday morning?

2 A. Yeah. Yes.

3 It's a regular thing that we
4 gather there and have a few beers. I practically
5 don't drink myself, but that night I had.

6 Q. Somewhere around 1:30 a.m. were you in
7 your apartment when others were out in the parking
8 lot?

9 A. I was. I came out when the other two
10 people who live on the other side of the parking lot
11 were there.

12 Q. You say the other two people who lived
13 on the other side of the parking lot. Do you know
14 their names?

15 A. One is Augustine Martinez and the other
16 is Leonardo Martinez. They're friends of mine.

17 Q. As you were approaching the area, did
18 you hear any type of commotion out in the area?

19 A. When I went in my apartment I heard
20 there was something going on with the other two
21 people, but I couldn't hear what they were talking
22 about. As I got closer -- I don't know the name of
23 the person who had a pistol in his hand, and when I
24 got closer there were two shots in the air.

25 Q. Can you describe the person who had the

1 pistol in his hand?

2 A. He was -- what would you say? He
3 wasn't real dark. He had -- his hair went back like
4 this (indicating). He had like a receding hairline.
5 I didn't see him real well. Everything happened so
6 fast. I didn't see him real well.

7 Q. Would you be able to identify him
8 again?

9 A. Yes, I think so.

10 Q. Was there anybody with this person who
11 had a gun?

12 A. Yeah. Another one was coming behind
13 him.

14 Q. Will you describe that person?

15 A. Well, he was behind him. And it was
16 dark where they were, and where I live there's only
17 one little light, so I couldn't see him very well.

18 Q. How far away was this second person
19 from the individual who had the gun?

20 A. Two or three steps. Not much. Not
21 much distance.

22 Q. Could you see what the second person
23 was doing when he was behind the shooter?

24 A. No. No. I couldn't see. I was a
25 little -- I was staying a little back so -- you

1 know, so I wouldn't get hit.

2 Q. How far away were you from the person
3 who had the gun who was shooting?

4 A. It would be like from here to where
5 that tree is.

6 Q. Can you give us your best estimate as
7 to how far away that is?

8 A. 20, or I really don't have any idea.

9 Q. 20 feet?

10 A. Probably a little more.

11 Q. When this individual with the gun
12 started shooting, did he say anything?

13 A. No.

14 Or if he said something I didn't
15 understand it.

16 Q. Do you speak any English at all?

17 A. A few words. Not too -- I couldn't,
18 you know.

19 Q. When this person started shooting,
20 where did he shoot?

21 A. The first two shots were in the area
22 and then -- and then twice towards the dumpsters or
23 garden stands, and then he shot me.

24 Q. Do you know whether anybody tried to
25 grab this individual when he started shooting?

1 A. No, because he had a gun in his hands.

2 Q. Do you know Luis Martinez?

3 A. Yes.

4 Q. Where was Luis Martinez at the time
5 that this individual started shooting?

6 A. When he shot me and I fell down there
7 was another shot, and I looked -- well, behind me.
8 Got behind me, but to the side to where he had shot.

9 Q. Where were you shot?

10 A. In the shoulder or the upper part of
11 the arm.

12 Q. Did you see where Luis Martinez was
13 shot?

14 A. Well, I didn't see it. I understand it
15 was in the head. I didn't see it.

16 Q. Where was Luis when he was shot in the
17 head?

18 A. We were behind. We were behind a truck
19 or a van. I don't remember exactly.

20 Q. Did this second individual have a gun?

21 A. No. I didn't realize if -- he did not
22 that I'm aware of.

23 Q. In total, how many shots did this
24 individual fire?

25 A. Six, I guess. I'm not real sure.

1 Q. Did you see where the individual with
2 the gun and the second individual went after they
3 finished firing shots?

4 A. No. After I got hit, no, I didn't know
5 nothing.

6 Q. How many shots did you receive?

7 A. Just one.

8 Q. What is your condition today?

9 A. Well, I still not very good still.

10 Q. Are you able to move your legs?

11 A. No.

12 Q. Do you have any feeling below the
13 waist?

14 A. No.

15 From the -- I have lost all
16 sensation from the -- from the belly button down and
17 part of my back.

18 Q. Sir, I'm going to show you Grand Jury
19 Exhibit Number 2.

20 Is that Luis Martinez, also
21 known as Alberto Martinez?

22 A. Yes.

23 MR. ROGER: That concludes my
24 questioning.

25 THE FOREMAN: Any questions, jurors?

1 BY A JUROR:

2 Q. Do you speak -- do you understand any
3 English?

4 A. No, almost nothing.

5 Q. Okay. And do you know if Sheldon
6 Hollimon lived in that apartment?

7 A. The thing is he always had -- what do
8 you call -- I almost never saw him. I almost never
9 saw him unless I came out the sliding door of my
10 apartment.

11 BY A JUROR:

12 Q. Have you or any member of your family
13 or any of the other people that you were with that
14 night, had any prior contact with the two
15 defendants?

16 A. No. No, because when we get out there,
17 if we were outside it was always very peaceful, and
18 we never had any contact with them.

19 BY MR. ROGER:

20 Q. I have a follow-up question.

21 That evening did you or any of
22 your friends attack the person with the gun or the
23 second individual?

24 A. I didn't understand the question.

25 Q. That evening did either one of your

1 friends or yourself strike the man with the gun or
2 his friend?

3 A. If we attacked him?

4 Q. Yes.

5 A. No.

6 Q. Did either you or any of your friends
7 try to strike either one of those two individuals
8 with beer bottles?

9 A. Not that I'm aware of.

10 Q. Not that you're aware of?

11 A. Everything happened so fast. There was
12 also a child there, the son of one of my friends who
13 was with him. And everything happened so fast.

14 Q. Is the answer to my question that to
15 the best of your knowledge nobody struck the person
16 with the gun or the second person with a beer
17 bottle?

18 A. No.

19 MR. ROGER: Thank you.

20 Any questions?

21 BY A JUROR:

22 Q. Did Leonardo or Luis live in the same
23 apartment complex that he lived in?

24 A. No. He lived farther down about 10
25 minutes away walking.

1 THE FOREMAN: Any further questions,
2 jury? Anybody else?

3 (No response.)

4 THE FOREMAN: By law, these proceedings
5 are secret, and you are prohibited from disclosing
6 to anyone anything that transpired before us
7 including evidence presented to the Grand Jury, any
8 event occurring or a statement made in the presence
9 of the Grand Jury, or information obtained by the
10 Grand Jury.

11 Failure to comply with this
12 admonition is a gross misdemeanor, punishable by a
13 year in the Clark County Detention Center and a
14 \$2,000 fine. In addition, you may be held in
15 contempt of court punishable by an additional \$500
16 fine and 25 days in the Clark County Detention
17 Center.

18 Do you understand this
19 admonition?

20 THE WITNESS: Yes.

21 THE FOREMAN: You're excused.

22 (Witness and interpreter excused.)

23 THE FOREMAN: Please raise your right
24 hand.

25 You do solemnly swear that the

1 testimony that you are about to give upon the
2 investigation now pending before this Grand Jury
3 shall be the truth, the whole truth and nothing but
4 truth, so help you God?

5 DETECTIVE MARIN: Yes.

6 THE FOREMAN: Be seated.

7 You're advised that you are here
8 today to give testimony in the investigation
9 pertaining to the offenses of murder with use of a
10 deadly weapon and attempt murder with use of a
11 deadly weapon, offenses set forth in the proposed
12 Indictment of one Sheldon Hollimon.

13 Do you understand this
14 advisement?

15 DETECTIVE MARIN: Yes.

16
17 THOMAS MARIN,

18 having been first duly sworn by the
19 Foreman of the Grand Jury to testify to
20 the truth, the whole truth and nothing
21 but the truth, testified as follows:

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EXAMINATION

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BY MR. ROGER:

Q. Please state your name and spell your last name for us.

A. Thomas M. Marin, M-a-r-i-n.

Q. Are you a detective with the Homicide Division of the Las Vegas Metropolitan Police Department?

A. Yes.

Q. How long have you been employed as a police officer with the Las Vegas Metropolitan Police Department?

A. 15 years.

Q. I'd like to direct your attention to Saturday, July 22nd, 2,000, somewhere after 1:30 a.m.

Were you asked to respond to the alley to the rear of 2933 Elm Avenue, Number 2, in Las Vegas, Clark County, Nevada?

A. Yes.

Q. And did you respond and meet with your partner, Detective Mark McNett, and Sergeant Ken Hefner?

A. Yes.

1 Q. When you arrived at the scene, did you
2 observe the body of a young man who was later
3 identified to you as Alberto Martinez or Luis
4 Martinez?

5 A. Yes.

6 Q. Did you attend the post-mortem autopsy
7 later that morning that was conducted by Dr.
8 Telgenhoff on the body of Luis Martinez or Alberto
9 Martinez?

10 A. Yes.

11 Q. I'm showing you State's Proposed
12 Exhibits or Grand Jury Exhibits Number 2 and 3.

13 Are these photographs of Luis or
14 Alberto Martinez?

15 A. Yes.

16 Q. When you arrived at the area, did you
17 attempt to speak with some of the witnesses through
18 an interpreter to find out what had happened?

19 A. Yes.

20 Q. Did there come a point in time when you
21 became concerned that perhaps the individual or
22 individuals who were involved in the shooting death
23 of Luis Martines were in Apartment Number 2?

24 A. Yes.

25 Q. Did you attempt to knock on the door to

1 get them to come out and speak with you?

2 A. Yes.

3 Q. Did they answer the door?

4 A. No.

5 Q. What did you do?

6 A. Eventually a decision was made by
7 Sergeant Hefner to get a telephonic search warrant
8 so we can gain entry thus bringing them out.

9 Q. Were you able to bring or did Sergeant
10 Hefner obtain the telephonic search warrant to
11 search the residence?

12 A. Yes.

13 Q. Prior to that, were the individuals
14 brought out of the apartment, or did you wait for
15 the search warrant?

16 A. We waited for the search warrant.

17 Q. When you went into the apartment, how
18 did you gain entry?

19 A. After eventually knocking on the door
20 and making several announcements -- again I wasn't
21 actually there when the entry was made, but I
22 believe eventually the door was either opened, or
23 I'm not sure if they made a forced entry or not.

24 Q. Did you see the occupants who were
25 brought out from the Apartment Number 2?

1 A. Eventually they were brought out and
2 placed in front of the apartment, yes.

3 Q. How many occupants were in the
4 apartment?

5 A. There was four, and I believe it was --
6 I think there was a child, I'm not sure, but I know
7 there was four adults.

8 Q. Were you able to identify them?

9 A. Yes.

10 Q. Was one of them Damon Campbell?

11 A. Yes.

12 Q. Sheldon Hollimon?

13 A. Yes.

14 Q. Teresa West and Alissa Rapaglia?

15 A. Yes.

16 Q. Was the apartment searched at that
17 point?

18 A. Yes.

19 Q. What was recovered from the apartment?

20 A. Eventually a .45 automatic handgun was
21 recovered. I believe there was a magazine clip of
22 some type that was additionally recovered. A
23 shotgun was recovered.

24 Q. Were there any cartridge casings found
25 within the residence?

1 A. Yes.

2 Q. How many cartridge cases?

3 A. I'm really not sure on the number of
4 cartridges that were recovered.

5 Q. And when we talk about cartridge cases,
6 we're talking about the expended cartridge that is
7 ejected from an automatic handgun?

8 A. I believe those were recovered in the
9 parking lot and again Detective McNett, he handled
10 that part of the investigation, so I wouldn't be
11 quite sure on the number.

12 Q. But you did examine the crime scene
13 just to get an overall view of what had happened?

14 A. Yes.

15 Q. So do you know if there were any of
16 those expended cartridge cases within the apartment?

17 A. I know for a fact in the parking lot,
18 but I'm not sure on the inside.

19 Q. Could you tell us approximately how
20 many expended cartridge cases were found out in the
21 parking lot?

22 A. I believe there were two.

23 Q. Could there have been more?

24 A. That's possible.

25 Q. Did you speak with Sheldon Hollimon?

1 A. Yes.

2 Q. When you spoke with Mr. Hollimon was he
3 in custody?

4 A. Well, he was detained. He wasn't
5 actually arrested, but he was detained.

6 Q. After you concluded your conversation
7 with Mr. Hollimon, was he allowed to leave?

8 A. Yes.

9 Q. I'm showing you Grand Jury Exhibit
10 Number 5.

11 Do you recognize the individual
12 who's depicted in that photograph?

13 A. Yes.

14 Q. Who is it?

15 A. Hollimon.

16 Q. Sheldon Hollimon?

17 A. Yes.

18 Q. Is his hair style or anything about him
19 which is depicted in that photograph different than
20 the way you saw him that evening?

21 A. His hair was longer, and I believe he
22 was growing dreads.

23 Q. So the evening that you spoke with him
24 his hair was longer, and it appeared that he was
25 starting to grow dread locks or long braids in his

1 hair?

2 A. Yes.

3 Q. When you spoke with him, did you tape
4 record the statement?

5 A. Yes.

6 Q. Was the tape recording transcribed
7 thereafter?

8 A. Yes.

9 Q. I'm showing you Grand Jury Exhibit
10 Number 6.

11 Does that appear to be a
12 transcription of your interview with Mr. Hollimon?

13 A. Yes.

14 MR. ROGER: Ladies and gentlemen,
15 I'll be presenting Grand Jury Exhibit Number 6 to
16 you. I'm not offering this transcription or his
17 statement to Detective Marin as inculpatory
18 evidence. I am presenting it to you as exculpatory
19 evidence.

20 This is Mr. Hollimon's statement
21 as to what had happened that evening. I have an
22 obligation to provide exculpatory evidence to you,
23 so I'm providing that transcription to you for your
24 edification.

25

1 BY MR. ROGER:

2 Q. Can you tell us just generally what Mr.
3 Hollimon told you?

4 A. Basically what he told me was when he
5 pulled up to the apartment in the vehicle with
6 Damon, they got out of the car and were approaching
7 Apartment Number 2 when they noticed one of the
8 individuals, one of the victims urinating on the
9 side of their apartment.

10 He stated that Campbell went up
11 to this person and told him please don't urinate on
12 the wall and started walking back towards the
13 apartment, and this person continued to urinate on
14 their wall. When Campbell went back to that
15 individual there was an exchange of words.

16 He said there was another
17 Hispanic male there. An argument started, and he
18 noticed that they were fighting. He came over
19 there, tried to break it up, along with another
20 individual. He said at which time a crowd started
21 to gather, supposedly had bottles and started
22 breaking bottles and weapons. And he went to the
23 apartment and went inside and heard two shots.

24 Campbell followed behind him and
25 told everybody inside the apartment to get on the

1 ground. He heard an additional shot coming from
2 inside the apartment, and he picked up a shotgun and
3 laid down on the ground with a shotgun at the
4 instructions of Damon Campbell and said thus that
5 kind of ended the shooting. And he stayed on the
6 ground along with everybody else until the police
7 came inside the apartment.

8 Q. Did he explain why nobody answered the
9 door when the police knocked?

10 A. He indicated that they were scared.

11 Q. When you examined the crime scene, did
12 you find any broken beer bottles?

13 A. Not me personally. I mean this is a
14 big parking lot so in that given area, no, we didn't
15 see any broken bottles, no.

16 Q. Did you see any signs that individuals
17 had been urinating on the sidewalk?

18 A. No.

19 MR. ROGER: Thank you.

20 That concludes my examination.

21 THE FOREMAN: Questions, jury?

22 BY A JUROR:

23 Q. Could you tell us how big of an area?
24 You said it was a big parking lot. How big of an
25 area that this whole thing was supposed to have

1 taken place?

2 A. There were like two or three vehicles
3 that were parked just north of the apartment
4 complex. To give you some measurements on it, I
5 would say it would be approximately a hundred feet
6 by a hundred feet.

7 BY A JUROR:

8 Q. The apartment complex, are they small
9 houses or are they several stories?

10 A. It's a -- there are individual
11 buildings that are two stories and each individual
12 apartment houses four units, two upstairs and two
13 downstairs.

14 THE FOREMAN: Any further questions,
15 jury?

16 BY A JUROR:

17 Q. Yeah. I have a couple of questions
18 just for clarification.

19 When Mr. Hollimon was being
20 interviewed and he said he heard two shots outside
21 of his apartment?

22 A. When he was retreated into the
23 apartment that they were going to Damon's girl
24 friend, he said he could hear two shots in that area
25 in the parking lot where Damon was fighting with the

1 victim.

2 BY MR. ROGER:

3 Q. I'd like to follow up.

4 After he was in the apartment --
5 after Sheldon Hollimon was in the apartment and
6 Damon Campbell was in the apartment, did Mr.
7 Hollimon tell you whether he heard any shots that
8 were being fired from within the apartment?

9 A. He said he heard additional shots from
10 inside the apartment that he was in.

11 Q. And these were shots that were being
12 fired from some individual from within his apartment
13 outside?

14 A. Yes.

15 Q. Did he tell you who fired those shots?

16 A. He didn't come out and just say Damon
17 did it, but he believed Damon was the one probably
18 shooting.

19 Q. When you interviewed him did he -- was
20 he cooperative and forthcoming with the information?

21 A. He wasn't totally cooperative. I had
22 to go back after getting additional information and
23 ask him about some of the events that occurred, so
24 he wasn't totally cooperative with the information.

25

1 BY A JUROR:

2 Q. And my second question would be were
3 there more than one type of shell casings found in
4 the parking lot?

5 A. No.

6 BY A JUROR:

7 Q. If there were bullets still in the,
8 unfortunately, this man's body, as well as the other
9 gentleman's, were they all shown to be from the same
10 type of a weapon?

11 A. We haven't got the ballistics report
12 back on it. We didn't get it back yet.

13 MR. ROGER: I think Dr. Green testified
14 that the deceased victim received a
15 through-and-through gunshot wound to the head.

16 THE WITNESS: Yeah, right.

17 BY A JUROR:

18 Q. This girl friend, what apartment did
19 she live? What --

20 A. She was downstairs in Apartment Number
21 2.

22 Q. Downstairs?

23 A. Yes.

24 BY THE FOREMAN:

25 Q. Did Hollimon say anything as to whether

1 or not he knew that Damon was armed with a weapon?

2 A. When I asked him that question, he was
3 aware that Damon had guns, and he believed that
4 Damon had the gun in the car with him before they
5 got out. When they were in the apartment I can
6 recall seeing the gun in Damon's hand.

7 THE FOREMAN: Any further questions
8 from the jury?

9 BY A JUROR:

10 Q. The first victim was murdered the
11 bullet went right through his head.

12 Were you able to recover the
13 bullet?

14 A. No.

15 BY A JUROR:

16 Q. Did you find the shotgun?

17 A. Yeah. We recovered the shotgun inside
18 there.

19 BY A JUROR:

20 Q. What was the approximate distance where
21 the victim that was killed, how far was that from
22 Apartment Number 2?

23 A. Apartment Number 2 is the last -- is
24 right -- the last apartment where the parking lot
25 is. If you have the parking lot here, the window of

1 Apartment Number 2 would be right at the back of it,
2 so it would probably have been less than eight feet
3 from the wall from the window.

4 Q. Thank you.

5 BY THE FOREMAN:

6 Q. Do you know if the murder weapon was
7 recovered?

8 A. Yeah. We believe the one that we
9 recovered from inside the apartment complex.

10 BY A JUROR:

11 Q. Were there any weapons found anywhere
12 in the area where the Hispanic people were at in
13 their apartment? Was that apartment searched?

14 A. No. We didn't search their apartment.
15 There were no weapons recovered in the parking lot
16 as far as firearms or anything like that.

17 THE FOREMAN: Any further questions,
18 jury?

19 (No response.)

20 THE FOREMAN: Okay. By law, these
21 proceedings are secret, and you are prohibited from
22 disclosing to anyone anything that transpired before
23 us including evidence presented to the Grand Jury,
24 any event occurring or a statement made in the
25 presence of the Grand Jury, and information obtained

1 by the Grand Jury.

2 Failure to comply with this
3 admonition is a gross misdemeanor, punishable by a
4 year in the Clark County Detention Center and a
5 \$2,000 fine. In addition, you may be held in
6 contempt of court punishable by an additional \$500
7 fine and 25 days in the Clark County Detention
8 Center.

9 Do you understand this
10 admonition?

11 THE WITNESS: Yes.

12 THE FOREMAN: You're excused.

13 (Witness excused.)

14 MR. ROGER: Ladies and gentlemen of the
15 Grand Jury, that concludes my presentation to you.
16 The proposed Indictment sets forth the elements of
17 the offense and unless there are any questions I'll
18 excuse myself for your deliberations.

19 THE FOREMAN: Very well.

20
21 (All persons other than members
22 of the Grand Jury left the room at 9:50
23 a.m. and returned at 10:08 a.m.)
24
25

1 THE FOREMAN: Mr. District Attorney,
2 David J.J. Roger, by a vote of 12 or more Grand
3 Jurors a true bill has been returned against the
4 defendant, Sheldon Hollimon, charging the crimes of
5 count number one, murder with use of a deadly weapon
6 by a count of 12 or more Grand Jurors, and on count
7 number two, attempted murder with use of a deadly
8 weapon, and on count number three, again by 12 or
9 more Grand Jurors, attempted murder with use of a
10 deadly weapon, in Grand Jury Case Number 00AGJ037X
11 charging Sheldon Hollimon.

12 We instruct you to prepare an
13 Indictment in conformance with the proposed
14 Indictment previously submitted to us.

15 THE WITNESS: Thank you, sir.

16
17 (End of proceedings.)

18
19 ---o0o---

20

21

22

23

24

25

REPORTER'S CERTIFICATE

STATE OF NEVADA)
 : SS
COUNTY OF CLARK)

I, Brenda A. Lee, C.C.R. 198, do hereby
certify that I took down in Shorthand (Stenotype)
all of the proceedings had in the before-entitled
matter at the time and place indicated and
thereafter said shorthand notes were transcribed at
and under my direction and supervision and that the
foregoing transcript constitutes a full, true and
accurate record of the proceedings had.

Dated at Las Vegas, Nevada, October 10, 2000.


BRENDA A. LEE, C.C.R. No. 198

1 ORDR
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

FILED

OCT 25 4 03 PM '00

Philip B. Prange
CLERK

DISTRICT COURT
CLARK COUNTY, NEVADA

8 THE STATE OF NEVADA,

9 Plaintiff,

10 -vs-

11 DAMON LAMAR CAMPBELL,
12 #1196647
13 SHELDON HOLLIMON,
14 #1203836

15 Defendant.

Case No. C169550 & C170186
Dept No. XV
Docket L & M

16 ORDER GRANTING STATE'S MOTION TO
17 CONSOLIDATE CASES

18 DATE OF HEARING: 10/17/00
19 TIME OF HEARING: 9:00 A.M.

20 THIS MATTER having come on for hearing before the above entitled Court on the 17th
21 day of October, 2000, the Defendant DAMON LAMAR CAMPBELL being present, represented
22 by STANLEY A. WALTON, ESQUIRE, and Defendant SHELDON HOLLIMON being
23 present, and represented by ALZORA JACKSON, ESQUIRE, and WILLARD N. EWING,
24 ESQUIRE, the Plaintiff being represented by STEWART L. BELL, District Attorney, through
25 KRISTY SKUPA, Deputy District Attorney, and the Court having heard the arguments of
26 counsel and good cause appearing therefor,

27 //

28 //

//

1 IT IS HEREBY ORDERED that the State's Motion to Consolidate Cases, shall be, and
2 it is granted.

3 DATED this 25th day of October, 2000.

4
5 
6 DISTRICT JUDGE
7

8 STEWART L. BELL
9 DISTRICT ATTORNEY
10 Nevada Bar #000477

11 BY 
12 KRISTY SKUPA
13 Deputy District Attorney
14 Nevada Bar #006503
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28 /jeh

10/17/00 -C169550-

1

FILED

Nov 6 9 17 AM '00

CLERK

1 TRAN

2 CASE NO. C170186

3 DEPT. NO. XV

5 DISTRICT COURT

6 CLARK COUNTY, NEVADA

7 -oOo-

9 THE STATE OF NEVADA,)

10 Plaintiff,)

11 vs.)

12 SHELDON HOLLIMON,)

13 Defendant.)

REPORTER'S TRANSCRIPT

OF

ARRAIGNMENT

15
16 BEFORE THE HON. SALLY LOEHRER, DISTRICT COURT JUDGE

17 TUESDAY, OCTOBER 17, 2000
18 8:30 A.M.

19 APPEARANCES:

20 For the State:

KRISTY SKUPA, ESQ.
Deputy District Attorney

21 For the Defendant:

22 ALZORA JACKSON, ESQ.
Special Deputy Public Defender

23
24 Reported by: Mary Beth Cook
25 CCR No. 268, RPR

MARY BETH COOK, CCR 268 (702)455-4288

1 LAS VEGAS, CLARK COUNTY, NEVADA, TUES., OCT. 17, 2000

2 8:30 A.M.

3 -oOo-

4 P R O C E E D I N G S

5
6 THE COURT: The State of Nevada versus
7 Campbell and Hollimon. Mr. Campbell is represented
8 by Mr. Walton, and Mr. Campbell is present in
9 custody. Mr. Hollimon is present in custody. He's
10 not represented yet. He was going to be
11 interviewed, I believe, by the public defender's
12 office, and there was going to be a determination
13 made as to whether or not based upon the witnesses
14 in the case whether or not the county public
15 defender could represent Mr. Hollimon.

16 Mr. Ewing, did you read or take a look
17 at and do the check on the witnesses?

18 MR. EWING: Your Honor, we established
19 there were some witnesses as well as the
20 codefendant that had been represented by our office
21 in the past. I think the codefendant was the one
22 that created the main area of concern. I contacted
23 the special public defender's office, and
24 Ms. Jackson is here this morning.

25 THE COURT: And, Ms. Jackson, you

1 probably have not had an opportunity to look at the
2 witness list, but could your office confirm as
3 counsel for Mr. Hollimon?

4 MS. JACKSON: We can, Your Honor. May
5 the record reflect that we have reviewed the
6 witness list and met with Mr. Hollimon, and we are
7 prepared to accept the Court's appointment this
8 morning.

9 THE COURT: Now, the State has a motion
10 to consolidate which appears to be appropriate and
11 well taken. Ms. Jackson, do you have any
12 opposition to the cases for Mr. Campbell and
13 Mr. Hollimon being consolidated?

14 MS. JACKSON: I've reviewed the law in
15 that area. I think that legally given the facts it
16 probably is a motion that to oppose it would be not
17 worthwhile. However, I do not have the grand jury
18 transcript, and on that basis I would submit it. I
19 do not want to go on the record as stipulating to
20 anything in this case.

21 THE COURT: So the State's motion to
22 consolidate these cases is granted.

23 Ms. Skupa, do you know whether the State
24 has made a decision, because I think Mr. Roger
25 indicated the last time he was here that no

1 decision had yet been made, as to whether or not
2 the State would be seeking the death penalty in
3 these cases?

4 MS. SKUPA: Your Honor, there is a note
5 in Mr. Hollimon's file that the State is not going
6 to be seeking the death penalty for him; however,
7 it appears from the notes in Mr. Campbell's file
8 that the State may be seeking the death penalty in
9 Mr. Campbell's case.

10 THE COURT: But no decision has been
11 made?

12 MR. WALTON: They have given us notice,
13 Judge. It's been filed with the court.

14 THE COURT: So notice of intent has been
15 filed on Campbell?

16 MR. WALTON: Yes, Your Honor, it has.

17 THE COURT: Then that makes this, Mary
18 Beth, a 250 case. Mr. Campbell has been
19 arraigned. He's pled not guilty. We have not set
20 the trial date.

21 Mr. Hollimon, I don't believe that you
22 have yet been arraigned. What is your true legal
23 name?

24 THE DEFENDANT: Sheldon Hollimon.

25 THE COURT: And, Mr. Hollimon, how old

1 are you, sir?

2 THE DEFENDANT: Twenty-six years of age.

3 THE COURT: And how many years of school
4 have you completed?

5 THE DEFENDANT: Twelve.

6 THE COURT: Do you read, write, and
7 understand the English language?

8 THE DEFENDANT: Yes, ma'am.

9 THE COURT: Do you have a copy of the
10 criminal information charging you with murder
11 with --

12 THE DEFENDANT: I have an indictment
13 from Ms. Jackson.

14 THE COURT: Attempt murder with use of a
15 deadly weapon and attempt murder with use of a
16 deadly weapon, two counts?

17 THE DEFENDANT: Yes.

18 THE COURT: Have you had a chance to
19 read those charges and discuss them with
20 Ms. Jackson?

21 THE DEFENDANT: Yes.

22 THE COURT: Do you wish the clerk to
23 read the charges to you here this morning in open
24 court?

25 THE DEFENDANT: No, Your Honor.

1 THE COURT: How do you plead to Count I,
2 II and III, murder and two counts of attempt
3 murder?

4 THE DEFENDANT: Not guilty.

5 THE COURT: You're entitled to a speedy
6 trial within 60 days of today's date. Do you wish
7 to exercise your right to speedy trial?

8 THE DEFENDANT: Waive it.

9 THE COURT: And, Mr. Walton, on behalf
10 of Mr. Campbell, I do not recall whether he's
11 waived or invoked his right.

12 MR. WALTON: Judge, this morning we will
13 be waiving a right to a speedy trial.

14 THE COURT: Then, Counsel, have you met
15 with each other and with -- who's trying it for the
16 State? Mr. Roger?

17 MS. SKUPA: Yes.

18 THE COURT: Have you met with yourselves
19 and Mr. Roger and looked at your trial calendars to
20 decide when it would be appropriate to set the case
21 for trial?

22 MR. WALTON: Yes, Judge. Based on our
23 review, we're looking at early May or mid-May to
24 accommodate the calendars of all involved and also
25 be requesting of the Court I've spoken with David

1 Schieck to appoint him along with me as co-counsel
2 on this particular matter.

3 THE COURT: All right. The Court will
4 appoint David Schieck as co-counsel for
5 Mr. Campbell.

6 Mr. Walton, you are retained; is that
7 correct?

8 MR. WALTON: To this point I have,
9 Judge.

10 THE COURT: We need to set this in like
11 the first or second week of the stack. We're going
12 into different stacking of trials, and because it's
13 two people I would not want to set it for the last
14 two weeks of the stack, so if we set it so that
15 there's three weeks left in the stack, we could
16 either set it on April 30th or we can set it May
17 21st, whichever those dates is better for you.

18 MR. WALTON: Court's indulgence. Judge,
19 I think for all parties involved, the later setting
20 in May would probably be appropriate at this time.

21 THE COURT: Let's set it for the first
22 week of the five-week stack which would be --

23 THE CLERK: Jury trial May 21st at 1:30

24 / / /

25 / / /

1 and calendar call May 16th at 8:30.

2 -ooo-

3 ATTEST: FULL, TRUE AND ACCURATE TRANSCRIPT.

4 Mary Beth Cook
5 Mary Beth Cook, CCR No. 268, RPR
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MARY BETH COOK, CCR 268 (702)455-4288

ORIGINAL

24

FILED

Nov 9 3 11 PM '00

Philip J. Kohn
CLERK

1 ORDR
2 PHILIP J. KOHN
3 SPECIAL PUBLIC DEFENDER
4 Nevada Bar No. 000556
5 ALZORA B. JACKSON
6 DEPUTY SPECIAL PUBLIC DEFENDER
7 Nevada Bar No. 002255
8 309 S. Third Street, Fourth Floor
9 Las Vegas, Nevada 89155
10 (702) 455-6265
11 Attorneys for Defendant

12 DISTRICT COURT
13 CLARK COUNTY, NEVADA

14 THE STATE OF NEVADA,
15 Plaintiff,

16 vs.

17 SHELDON HOLLIMON,
18 #1203836

19 Defendant.

C170186
CASE NO: C170186/C169550
DEPT NO: XV

DATE OF HEARING:
TIME OF HEARING:

20 ORDER

21 The Petition of SHELDON HOLLIMON, by and through his attorneys, PHILIP J.
22 KOHN, Special Public Defender, and ALZORA B. JACKSON, Deputy Special Public
23 Defender, having been filed in the above-entitled matter.

24 // //

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COUNTY CLERK

NOV 09 2000

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SPECIAL PUBLIC
DEFENDER

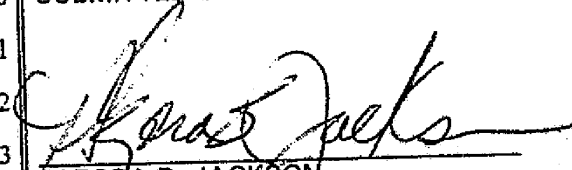
CLARK COUNTY
NEVADA

1001

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that you, SHIRLEY B.
2 PARAGUIRRE, Clerk of the Eighth Judicial District Court of the State of Nevada, in and
3 for the County of Clark, issue a Writ of Habeas Corpus, as is attached hereto.
4 DATED this 9th day of November, 2000.

5
6
7 
8 THE HONORABLE SALLY LOEHRER *SL*
9 District Court Judge

10 SUBMITTED BY:

11
12 
13 ALZORA B. JACKSON
14 Deputy Special Public Defender
15 Nevada Bar No. 02255
16 309 S. Third Street, Fourth Floor
17 Las Vegas, NV 89155
18 (702) 455-6265
19 Attorney for Defendant
20
21
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28

SPECIAL PUBLIC
DEFENDER

CLARK COUNTY
NEVADA

1 0014
2 PHILIP J. KOHN
3 SPECIAL PUBLIC DEFENDER
4 Nevada Bar No. 000556
5 ALZORA B. JACKSON
6 DEPUTY SPECIAL PUBLIC DEFENDER
7 Nevada Bar No. 002255
8 309 S. Third Street, Fourth Floor
9 Las Vegas, Nevada 89155
10 (702) 455-6265
11 Attorneys for Defendant

12 DISTRICT COURT
13 CLARK COUNTY, NEVADA

14 THE STATE OF NEVADA,
15 Plaintiff,

16 vs.

17 SHELTON HOLLIMON,
18 #1203836

19 Defendant.

CASE NO: C170186/C169550
DEPT NO: XV

DATE OF HEARING: 11-28-00
TIME OF HEARING: 8:30

20 PETITION FOR WRIT OF HABEAS CORPUS

21 Date of Hearing:
22 Time of Hearing:

23 TO: The Honorable Eighth Judicial District Court of the State of Nevada, in
24 and for the County of Clark:

25 The Petition of ALZORA B. JACKSON, Deputy Special Public Defender for the
26 above-captioned individual, respectfully shows:

27 1. Petitioner is a duly qualified, practicing and licensed attorney and court-
28 appointed counsel for Defendant SHELTON HOLLIMON (hereinafter "HOLLIMON").

2. That Petitioner makes application herein on behalf of his client for a Writ of
Habeas Corpus; that the place where Applicant is constructively restrained of his liberty
is the Clark County Detention Center; that the officer by whom he is restrained is JERRY

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DEFENDER
CLARK COUNTY
NEVADA



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1 KELLER, Sheriff.

2 3. That the imprisonment and restraint of said above-captioned client of
3 Petitioner is unlawful in that: That the Indictment was not supported by probable cause.

4 4. That client of Petitioner was arraigned on October 17, 2000 and the instant
5 writ is therefore timely.

6 5. That client of Petitioner waives the 60-day limitation for bringing said client
7 to trial.

8 6. That client of Petitioner consents that if the Petition is not decided within 15
9 days before the date set for trial, the Court may, without notice or hearing, continue the
10 trial indefinitely to a date designated by the Court;

11 7. That client of Petitioner consents that if any party appeals the Court's rulings
12 and the appeal is not determined before the date set for trial, the trial date is automatically
13 vacated and the trial postponed unless the Court otherwise orders.

14 8. That no other Petition for Writ of Habeas Corpus has heretofore been filed
15 on behalf of defendant on this particular issue.

16 WHEREFORE, Petitioner prays that the Honorable Court issue an order directing the
17 Clark County Clerk to issue a Writ of Habeas Corpus directed to the said JERRY KELLER,
18 Sheriff, commanding him to bring the above-captioned defendant before your Honor, and
19 return the cause of imprisonment.

20 DATED this 8th day of November, 2000.

21 PHILIP J. KOHN
22 SPECIAL PUBLIC DEFENDER

23 By: 

24 ALZORA B. JACKSON
25 Deputy Special Public Defender
26 State Bar No. 002255
27 309 South Third Street
28 P.O. Box 552316
Las Vegas, NV 89155
Attorneys for Defendant

SPECIAL PUBLIC
DEFENDER

CLARK COUNTY
NEVADA

1 A.

2 FACTUAL BACKGROUND

3 On July 22, 2000, at approximately 1:30 a.m., Leonardo Martinez, along with
4 some other friends and relatives, were in the alleyway to the rear of 2933 Elm Avenue,
5 Apartment #2. Some of the individuals present included Carlos Villanueva, Alberto Luis
6 Martinez, Augustine Martinez, Umberto Gomez, Wilfredo Menendez, Simon Villanueva and
7 Wigberto Villanueva (GJT, pp. 14-15).

8 Leonardo Martinez and his friends had been playing soccer earlier that Friday
9 evening. Apparently, they had gone back to the apartment complex to watch a soccer
10 game and drink some beer. Most of the party goers had consumed anywhere from three
11 to four beers by the time the incident which brings us to court occurred (GJT, p. 16). As
12 these individuals were sitting in the alley, apparently socializing and drinking, Damon
13 Campbell and Sheldon Hollimon arrived in Mr. Campbell's vehicle. Mr. Campbell was
14 driving and he was the individual who lived there. The two defendants parked and started
15 towards Mr. Campbell's apartment, but they did not actually enter the apartment (GJT,
16 p. 17).

17 The testimony at the grand jury was that after starting toward his apartment, but
18 without entering, Mr. Campbell abruptly turned around and came toward Mr. Martinez and
19 his friends. The testimony was that Mr. Hollimon was standing behind Mr. Campbell
20 (GJT, p. 18). Mr. Campbell was carrying a pistol and allegedly said to the group, "we
21 don't want to see Mexicans here at the corner." (GJT, p. 19). At that point, Damon
22 Campbell raised up the pistol and hit Mr. Martinez' brother in the face with it. The
23 individual who was struck with the gun was Augustine Martinez (GJT, p. 19). After
24 Augustine Martinez fell to the ground, the other individuals rushed over to see what was
25 going on. At that point, Damon Campbell began to shoot. It is alleged that Sheldon
26 Hollimon was standing behind Damon Campbell. The testimony was that he told him to
27 "shoot, shoot" and was making a gesture like this (indicating) and saying shoot, and all
28 the time he was behind him. In response to the foregoing testimony, the prosecutor at

SPECIAL PUBLIC
DEFENDER

CLARK COUNTY
SHERIFF'S OFFICE

1 the grand jury hearing indicated that:

2 Q. You just, you just gestured that Sheldon Hollimon had his
3 two arms above his head pointing toward the group of
4 individuals and saying shoot him, shoot him.

5 A. Yes, yes (GJT, p. 20).

6 The witness further testified that as Damon Campbell was firing the gun that
7 Sheldon Hollimon was "telling them and showing him that he should shoot. He didn't try
8 to calm - he induced him to keep shooting." (GJT, p. 21).

9 As a result of the rounds fired by Damon Campbell, one man, Luis Martinez was
10 killed, and another individual, Carlos Villanueva was injured (GJT, p. 22). Leonardo
11 Martinez indicates that he was grazed and suffered a graze wounds from one of the
12 bullets (GJT, p. 22).

13 As a result of the foregoing scenario, Mr. Hollimon was indicted on count I - murder
14 with use of a deadly weapon and charged with killing Luis Martinez; count II - attempt
15 murder with use of a deadly weapon by shooting Carlos Villanueva; count III - attempt
16 murder with use of a deadly weapon attempting to kill Leonardo Martinez. In each of the
17 three counts, Mr. Hollimon is charged as follows:

18 Defendant Damon Lamar Campbell directly committing said
19 acts and/or Defendants Damon Lamar Campbell and Sheldon
20 Hollimon aiding or abetting each other by acting in concert
21 and/or Damon Lamar Campbell and Sheldon Hollimon being
22 present before, during and after said acts and/or directly or
23 indirectly counseling, encouraging, assisting, hiring,
24 commanding, inducing, procuring or supervising each other's
25 actions; Defendants acting pursuant to a common conspiracy
26 to commit murder (Indictment C170186).

27 It is Mr. Hollimon's contention that he was merely present at the scene of these
28 criminal offenses and that he cannot be liable under any theory of criminal liability for the
actions of Mr. Campbell inasmuch as they were not planned out or committed pursuant
to some type of preconceived arrangement.

29 POINTS AND AUTHORITIES

30 In the instant case, there is no dispute that Mr. Hollimon did not engage in the
31 shooting or discharge of any weapons. Assuming everything received at the grand jury

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CLARK COUNTY
NEVADA

1 was true, the most Mr. Hollimon did was to say, "shoot, shoot" and make some type of
2 gesture with his finger. That is the conduct that has caused the State to charge Mr.
3 Hollimon with two counts of attempted murder and one count of murder. The language
4 quoted from the Indictment in this case charges these Defendants to have aided and
5 abetted each other and/or acted in concert and pursuant to a common conspiracy to
6 commit murder. Mr. Campbell is certainly being properly prosecuted for these crimes.
7 In order for Mr. Hollimon to be considered his accomplice, he would also have to be liable
8 to prosecution for the identical offense charged against Mr. Campbell.

9 An accomplice is one who is liable to prosecution for the
10 identical offense charged against the defendant, NRS
11 175.291(2), or who is culpably implicated in, or unlawfully
12 cooperates, aids or abets in the commission of the crime
13 charged. See Potter v. State, 96 Nev. 875, 619 P.2d 1222
14 (1980). Moreover, it is hornbook law "that conduct, to be
criminal, must consist of something more than mere action (or
non-action where there is a legal duty to act); some sort of bad
state of mind is required as well." W. LaFave, A. Scott,
Criminal Law, 176 (1972) see also Austin v. State, 87 Nev.
578, 491 P.2d 724 (1971).

15 Orfield v. State, 105 Nev. 107, 109, 771 P.2d 148 (1989).

16 In the instant case, Mr. Hollimon's actions do not, in any way, aid or abet Mr.
17 Campbell in committing these alleged offenses. Even if one believes that Mr. Hollimon
18 said, "shoot him, shoot him", so what? And looking at the testimony received at the
19 grand jury, these individuals were fortuitously present at the apartment complex where
20 Mr. Campbell lived. There is no testimony before the grand jury which reflects that Mr.
21 Campbell knew in advance they would be there. In other words, how could Mr. Campbell
22 and Mr. Hollimon have conspired to commit murder against someone they didn't even
23 know would be present when they arrived.

24 The actions of Mr. Hollimon are more analogous to the appellate in Skinner v.
25 Sheriff of Clark County, 93 Nev. 340, 566 P.2d 80 (1977). In the Skinner case, our
26 supreme court reversed her conviction finding no evidence from the record from which
27 they could infer that Skinner participated with Williams in a common scheme or plan to
28 batter the victim. The facts of the Skinner case are very interesting, in that you have a

1 defendant who is present at the scene, but who is arguably more than just merely
2 present, in that she is engaged in certain conduct. Be careful to note that Mr. Hollimon
3 is charged with making certain statements at this crime scene. Note if you will the
4 similarities between Skinner and Hollimon.

5 In the Skinner case, the victim, Lucinda, had a fight with a lady named Vernell
6 Williams. They fought and went their separate ways. A short time later, Ms. Williams
7 returned to the scene in a car driven by the appellant, Skinner. Skinner asks Lucinda why
8 she and Williams had been fighting. During this time frame, Williams again attacked
9 Lucinda. During the second encounter, Skinner allegedly scattered the contents of
10 Heckard's purse on the sidewalk and took some money and keys. Ms. Skinner was
11 charged with robbery. Ms. Skinner argued that she did not accomplish the taking of the
12 money and keys by means of force or violence, therefore an essential element of the
13 crime of robbery was lacking in the charge and the Nevada Supreme Court agreed. The
14 Nevada Supreme Court found that the prosecution did not present evidence to show that
15 Skinner and Williams, acting in concert in the battering of the victim, Lucinda. If they had
16 acted in concert, Williams' use of force against the victim could then be imputed to
17 Skinner. In the Skinner case, the court found no evidence from which they could infer
18 that Skinner participated with Williams in a common scheme or plan to batter the victim.
19 In the absence of facts or conduct showing or inferring such an agreement, Skinner's
20 mere presence would not render her guilty of robbery, however reprehensible her conduct
21 may have been in subsequently taking the victim's property.

22 In order for the recited conduct to achieve the magnitude of
23 robbery, it was incumbent on the prosecution to present
24 evidence to show that Skinner and Vernell Williams acted in
25 concert in the battering of Heckard; thereupon, Williams' use
26 of force against the victim could then be imputed to Skinner.
27 State v. Gerhardt, 549 P.2d 262 (Idaho 1976). Here, the
28 record contains no evidence from which we could infer that
Skinner participated with Williams in a common scheme or plan
to batter the victim. In the absence of facts or conduct
showing or inferring such an agreement, Skinner's mere
presence "would not render [her] guilty of robbery, however
reprehensible [her] conduct may have been in subsequently
taking [the victim's] property." James v. State, 161 S.W.2d

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NEVADA

1 285 (Tex.Crim.App. 1942), aff'd on rehearing, 161 S.W.2d at
2 289. Cf. Winston v. Sheriff, 92 Nev. 616, 555 P.2d 1234
3 (1976). Accordingly, we reverse, without prejudice to the right
of the state to institute an appropriate charge within fifteen
(15) days after remittitur issues.

4 Skinner v. Sheriff, 93 Nev. 340, 566 P.2d 80 (1977).

5 The instant case is strikingly similar to Skinner, you have Skinner making comments
6 asking the victim what were they fighting about. You even have Skinner driving Williams
7 to the scene. You have Skinner taking the victim's personal property from her purse and
8 still our supreme court says that that conduct does not rise to the level of anything other
9 than being merely present. The crux of the supreme court's analysis appears to be
10 whether or not Skinner and Williams were acting in concert. In other words, Skinner was
11 probably as surprised as anyone else when Williams jumped on Lucinda again. In the
12 instant case, the shooting occurred so fast that there is no reasonable inference that can
13 be drawn from these facts or from the testimony that Hollimon and Campbell even had
14 a chance to conspire and plan to attack these individuals. The testimony was that
15 Hollimon and Campbell pulled up and within fifteen seconds this entire scenario was full-
16 blown. Mr. Campbell apparently already had this weapon on his person and it was all
17 unfolding very rapidly. Based upon the analysis in Skinner, there is no way that Mr.
18 Hollimon's alleged conduct of saying, "shoot him, shoot him", although not commendable
19 language under the circumstances, does not rise to the level of criminal conduct.

20 The leading case in the area of mere presence is Winston v. Sheriff, 92 Nev. 616,
21 555 P.2d 1234 (1976). The Winston case stands for the proposition that "although mere
22 presence cannot support an inference that one is a party to an offense, People v. Francis,
23 450 P.2d 591 (Cal. 1969), presence together with other circumstances may do so. In
24 the Winston case, the appellant stood outside of a stall in the men's room where a victim
25 was being brutally battered and robbed by Winston's co-defendant. When a witness
26 entered the room and heard the commotion Winston approached the witness and said,
27 "They're just taking a crap." In this situation Winston argues that his mere presence,
28 coupled with his statement was insufficient to establish probable cause of his complicity

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1 in the crimes. Under these facts, the supreme court disagreed. Winston's statement
2 could only give rise to a reasonable inference that he was attempting to dissuade a would-
3 be rescuer from interfering and that his presence was for that purpose only. The Winston
4 case is so distinguishable from the instant case in that Mr. Hollimon did nothing,
5 absolutely nothing, to assist in the shooting of these victims. Moreover, it cannot be
6 emphasized enough that there is virtually no evidence from which a reasonable inference
7 can be drawn that there was any kind of preconceived plan.

8 Mere presence in the context of a murder case was discussed extensively in
9 Labastida v. State, 986 P.2d 443. In the Labastida, Michael Strawser, Labastida's
10 husband, admitted to abusing their infant son and testified that Labastida did not know
11 what he was doing. Labastida was convicted of second degree murder and felony child
12 neglect. The supreme court confirmed the conviction for felony child neglect, but
13 reversed that part of the conviction on murder, finding that there was insufficient
14 evidence of which to convict appellant of either first or second degree murder.

15 Our review of the record also reveals insufficient evidence to support a
16 conviction of first degree murder on the theory that Labastida directly
17 committed or aided and abetted Strawser in committing a willful, deliberate
18 and premeditated murder. To find Labastida guilty of first degree murder
19 required more than a showing that her child died and that she was there.
20 Such a finding required proof beyond a reasonable doubt of every fact
21 necessary to constitute the crime charged. In re Winship, 397 U.S. 358,
22 364, 25 L.Ed.2d 368, 90 S. Ct. 1068 (1970), cited in Martineau v.
23 Angelone, 25 F.3d 734, 739 (9th Cir. 1994) (reversing Nevada conviction of
24 felony child abuse for insufficient evidence). As Justice Shearing's
25 concurrence to the previous majority opinion cogently argued, there is
26 insufficient evidence in the record upon which the jury could have found
27 beyond a reasonable doubt that Labastida directly inflicted any injury on the
28 child or that she knowingly and intentionally aided and abetted Strawser.
We agree with the concurrence on this point. The evidence clearly
established that Strawser, not Labastida, personally inflicted the child's fatal
injuries. Labastida's mere presence in the home, without more, is
insufficient as a matter of law to support her conviction as an aider and
abettor. See King v. State, 105 Nev. 373, 376, 784 P.2d 942, 943-44
(1989) (reversing convictions of involuntary manslaughter of a child); see
also Skinner v. Sheriff, 93 Nev. 340, 341, 566 P.2d 80, 81 (1977) (mere
presence at the scene of a crime is insufficient to establish guilt). As the
jury was instructed, the evidence must demonstrate beyond a reasonable
doubt that Labastida knowingly and intentionally aided and abetted Strawser
in the acts which resulted in death. With hindsight, one can say that she
should have known that her son was in mortal danger, but that is not the
same as finding that she actually knew, which is the finding necessary to

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1 support a conviction for aiding and abetting murder.

2 Id. at 447.

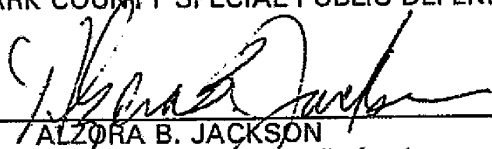
3 This case is directly on point with the case at bar. The very nature of the crime
4 charged, murder, requires premeditation and deliberation. There are no set of facts which
5 the State can prove which would show, given the spur-of-the-moment nature of Mr.
6 Campbell's actions, that Mr. Hollimon knew that he was going to fire a weapon and shoot
7 anyone. The court went so far in the Labastida case as to find that even though Ms.
8 Labastida perhaps should have known that her son was in mortal danger, that was not
9 a sufficient finding to support an inference that she actually knew. Without a finding of
10 actual knowledge, one cannot support a conviction for aiding and abetting murder.
11 Similarly, if a jury could find that Mr. Campbell had a "murderous intent to fire into this
12 crowd of individuals, there is virtually no evidence to support any theory that Mr. Hollimon
13 actually knew of his murderous intent and therefore, his alleged statements would be
14 considered as aiding and abetting.

15 CONCLUSION

16 Mr. Hollimon's presence at the scene is a classic example of being merely present
17 and having no actual culpability. Given the nature of the State's case, it is clear to any
18 reasonable judge as a matter of law that this Indictment cannot stand as Mr. Hollimon
19 was merely present at the scene and therefore, this case against Mr. Hollimon must be
20 dismissed.

21 Respectfully submitted,

22 PHILIP J. KOHN
23 CLARK COUNTY SPECIAL PUBLIC DEFENDER

24 By 

25 ALZORA B. JACKSON
26 Deputy Special Public Defender
27 Nevada Bar #2255
28 309 South Third Street, 4th Floor
Las Vegas, Nevada 89155
(702) 455-6265

SPECIAL PUBLIC
DEFENDER

CLARK COUNTY
NEVADA

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FILED

Nov 13 3 25 PM '00

Philip B. Augustine
CLERK

1 ROC
2 PHILIP J. KOHN
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5 ALZORA B. JACKSON
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7 Nevada Bar No. 002255
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9 Las Vegas, Nevada 89155
10 (702) 455-6265
11 Attorneys for Defendant

12 DISTRICT COURT
13 CLARK COUNTY, NEVADA

14 THE STATE OF NEVADA,
15 Plaintiff,

CASE NO: C170186/C169550
DEPT NO: XV

16 vs.

17 SHELDON HOLLIMON,
18 #1203836

19 Defendant.

20 RECEIPT OF COPY

21 RECEIPT OF A COPY of the foregoing Petition for Writ of Habeas Corpus is
22 hereby acknowledged this 14th day of November, 2000.

23 STEWART L. BELL
24 CLARK COUNTY DISTRICT ATTORNEY

25 By *Stewart L. Bell*

COUNTY CLERK

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NEVADA

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Nov 13 3 26 PM '00

Christy L. Rungius
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1 ROC
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11 Attorneys for Defendant

DISTRICT COURT
CLARK COUNTY, NEVADA

C170186

11 THE STATE OF NEVADA,
12 Plaintiff,

CASE NO: C170186/C169550
DEPT NO: XV

13 vs.

14 SHELDON HOLLIMON,
15 #1203836

16 Defendant.

17 RECEIPT OF COPY

18 RECEIPT OF A COPY of the foregoing Writ of Habeas Corpus is hereby
19 acknowledged this 9th day of November, 2000.

20 CLARK COUNTY DETENTION CENTER

21 By *Kama Claxton* 5348

COUNTY CLERK

NOV 13 3 26 PM '00

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DEFENDER

CLARK COUNTY
NEVADA

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Nov 13 3 24 PM '00

Sally B. Loehrer
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11 Attorneys for Defendant

DISTRICT COURT
CLARK COUNTY, NEVADA

11 THE STATE OF NEVADA,
12
13 Plaintiff,

13 vs.

14 SHELDON HOLLIMON,
15 #1203836
16 Defendant.

CASE NO: C170186/C169550
DEPT NO: XV

DATE OF HEARING:
TIME OF HEARING:

WRIT OF HABEAS CORPUS

18 TO: CLARK COUNTY SHERIFF
19 CLARK COUNTY, NEVADA

20 GREETINGS:

21 We command that you have the body of the above-captioned person, by you
22 imprisoned and detained, as it is alleged, together with the time and cause of such
23 imprisonment and detention, by whatever name and said above-captioned person shall be
24 called or charged, before the Honorable SALLY LOEHRER, District Court Judge, at her
25 Chambers or her Courtroom in the County Courthouse Building in the City of Las Vegas,
26 County of Clark, State of Nevada, on the 28 day of November, 2000 at the hour of
27 // //
28 // //

COUNTY CLERK

NOV 13 2000

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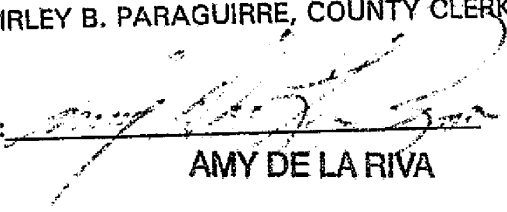
SPECIAL PUBLIC
DEFENDER

CLARK COUNTY
NEVADA

1 9:00 a.m., to do and receive that which shall then and there be considered concerning
2 the said above-captioned person and have you then and there this Writ.

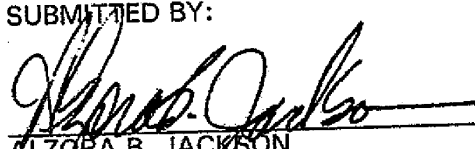
3 DATED AND DONE this 7 day of November, 2000.

4 SHIRLEY B. PARAGUIRRE, COUNTY CLERK

5
6 By: 

7 AMY DE LA RIVA

8 SUBMITTED BY:

9 

10 ALZORA B. JACKSON
11 Deputy Special Public Defender
12 Nevada Bar No. 2255
13 309 S. Third Street, Fourth Floor
14 Las Vegas, NV 89155
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16 Attorney for Defendant
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SPECIAL PUBLIC
DEFENDER

CLARK COUNTY
NEVADA

1 RWHC
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

FILED
Nov 20 2 22 PM '00
Shirley L. Paragins
CLERK

DISTRICT COURT
CLARK COUNTY, NEVADA

9 In the Matter of the Application
10 of

11 SHELDON HOLLIMAN,
12 #1203836

13 for a Writ of Habeas Corpus.

Case No. C170186/169550
Dept. No. XV
Docket L

RETURN TO WRIT OF HABEAS CORPUS

DATE OF HEARING: 11-28-00
TIME OF HEARING: 9:00 A.M.

16 COMES NOW, JERRY KELLER, Sheriff of Clark County, Nevada, Respondent, through
17 his counsel, STEWART L. BELL, District Attorney, through DAVID I.J. ROGER, Chief
18 Deputy District Attorney, in obedience to a writ of habeas corpus issued out of and under the
19 seal of the above-entitled Court on the 9th day of November, 2000, and made returnable on the
20 28th day of November, 2000, at the hour of 9:00 o'clock A.M., before the above-entitled Court,
21 and states as follows:

- 22 1. Respondent admits the allegations of Paragraph 2 of the Petitioner's Petition for Writ
23 of Habeas Corpus.
24 2. Respondent denies the allegations of Paragraph 3 of the Petitioner's Petition for Writ
25 of Habeas Corpus.
26 3. Paragraphs 1, 4, 5, 6, 7 and 8 do not require admission or denial.
27 4. The Petitioner is in the actual custody of JERRY KELLER, Clark County Sheriff,
28 Respondent herein, pursuant to a Criminal Information, a copy of which is attached hereto as

COUNTY CLERK

NOV 20 2000

1521

1 Exhibit 1 and incorporated by reference herein.

2 Wherefore, Respondent prays that the Writ of Habeas Corpus be discharged and the
3 Petition be dismissed.

4 DATED this 16th day of November, 2000.

5 Respectfully submitted,

6 STEWART L. BELL
7 DISTRICT ATTORNEY
8 Nevada Bar #000477

9 BY David J.J. Roger
10 DAVID J.J. ROGER
11 Chief Deputy District Attorney
12 Nevada Bar #002781

13 STATEMENT OF FACTS

14 On July 22, 2000, at approximately 1:30 a.m., the victims were drinking beer after their
15 soccer practice (Grand Jury Transcript, hereinafter GJT, p. 14-15). Defendant and his
16 accomplice, Damon Campbell, parked their vehicle in the alley and walked past the victims.
17 (GJT, p. 17) According to the victims, Defendant and Campbell returned a short time later.
18 Campbell was armed with a handgun. (GJT, p. 18) At least one of the victims stated Campbell
19 said "I don't want to see you Mexicans around here anymore." (GJT, p. 19) Then Campbell
20 began shooting at the victims. As the Campbell fired rounds at the unarmed victims, the
21 Defendant began yelling "Shoot. Shoot." (GJT, p. 20, 21) The decedent received a gunshot
22 wound to the back of the head. Another victim was shot in the back. The victim is a paraplegic.
(GJT, p. 32-33) Another victim suffered a graze wound to his arm. (GJT, p. 22)

23 During the melee, a young child ran out into the alley. A witness grabbed the child and
24 begged Campbell to not shoot the child. Campbell responded "He's just another little Mexican."
25 (GJT, p. 21)

26 One of the witnesses observed Campbell and Defendant enter a nearby apartment.

27 A short time later, police arrived at the scene. Upon learning that the Defendant entered
28 the apartment, police went to speak with the occupants of the apartment. The occupants did not

1 answer the door. (GJT, p. 29-42) As a result, police obtained a key to the apartment and
2 entered. Defendant, Campbell and two females were removed from the apartment. A search
3 warrant was obtained to search the apartment. (GJT, p. 41) Officers found the murder weapon
4 and a shotgun.

5 POINTS AND AUTHORITIES

6 I

7 SUFFICIENT EVIDENCE WAS PRESENTED TO THE GRAND JURY
8 TO ESTABLISH PROBABLE CAUSE THAT DEFENDANT COMMITTED
9 THE CRIMES OF MURDER WITH USE OF A DEADLY WEAPON AND
10 ATTEMPTED MURDER WITH USE OF A DEADLY WEAPON.

11 The standard of proof to be met by the State in establishing probable cause has been
12 defined as "slight or marginal evidence" that tends to establish that a crime has been committed
13 and that the Defendant has committed it. Grosney v. Sheriff, 94 Nev. 135, 575 P.2d 941 (1978);
14 Franklin v. State, 89 Nev. 382, 513 P.2d 1252 (1973); Kinsey v. Sheriff, 87 Nev. 361, 487 P.2d
15 340 (1971).

16 In Sheriff v. Hodes, 96 Nev. 184, 186, 606 P.2d 178, 180 (1980), the court explained:

17 The sole function of this court is to determine
18 whether all of the evidence received at the grand
19 jury proceedings establishes probable cause to
20 believe that an offense has been committed and that
21 the defendants committed it. (Citations omitted).
22 (Citations omitted). We are not now concerned
23 with the prospect that the evidence presently in the
24 record may, by itself, be insufficient to sustain a
25 conviction. (Citations omitted). Accordingly, the
26 State need not produce a quantum of proof required
27 to establish the guilt of the accused beyond a
28 reasonable doubt. The finding of probable cause
may be based on slight, even "marginal" evidence,
(citations omitted) because it does not involve
determination of the guilt or innocence of an
accused.

29 Likewise, the State is not required to negate all inferences which might explain the
30 Defendant's conduct. State v. von Brincken, 86 Nev. 769, 476 P.2d 833 (1970); Johnson v.
31 State, 82 Nev. 338, 418 P.2d 495 (1966).

32 The sole question to be considered in a pre-trial petition for writ of habeas corpus is
33 whether there is sufficient evidence in the record to establish probable cause. NRS 34.700; State

1 v. Fuchs, 78 Nev. 63, 368 P.2d 869 (1962).

2 Defendant has been charged with aiding or abetting his co-defendant in the commission
3 of the crimes.

4 NRS 195.020 provides in pertinent part "Every person concerned in the commission of
5 a felony, gross misdemeanor or misdemeanor, whether he directly commits the act constituting
6 the offense, or aids or abets in its commission, and whether present or absent; and every person
7 who, directly or indirectly, counsels, encourages, hires, commands, induces or otherwise
8 procures another to commit a felony, gross misdemeanor or misdemeanor is a principal and shall
9 be proceeded against and punished as such."

10 In Keefe v. Sheriff, 93 Nev. 109, 560 P.2d 913 (1977), Keefe was charged with aiding and
11 abetting in the use of a cheating device and conspiracy to possess and use a cheating device.
12 Keefe complained that insufficient evidence was presented to the grand jury to support an
13 indictment on the charges. The court held:

14 The record establishes that Keefe was present in a
15 casino in the immediate vicinity of the slot machine
16 that was allegedly opened with a forged key by his
17 co-defendants. Keefe exchanged words with them,
18 and, immediately after a jackpot combination was
19 lined on the reels of the slot machine, he departed
20 with them.

21 In light of his "presence, companionship, and
22 conduct before and after the offense, it was
23 permissible for the grand jurors to infer that Keefe
24 was involved in the scheme to cheat the casino.
25 (Citation omitted). Accordingly, we perceive no
26 error in the district judge's determination that the
27 indictment is supported by sufficient evidence.
28 (Citations omitted).

23 Id. 93 Nev. at 110.

24 Similarly, in Robertson v. Sheriff, 85 Nev. 681, 683, 462 P.2d 528, 529 (1977), a case
25 cited by Defendant, Robertson was present with four other men when one of the individuals
26 robbed the victim. Robertson had claimed that his presence in the group, alone, was insufficient
27 to hold him to answer to the charges as an aider or abettor. The Nevada Supreme Court
28 disagreed. The court explained:

1 As the court said in *People v. Adams*, 259
2 Cal.App.2d 109, 66 Cal.Rptr 161, 165 (1968):

3 The courts, have uniformly recognized and applied
4 the following rule: "The presence of one at the
5 commission of a felony by another is evidence to be
6 considered in determining whether or not he was
7 guilty of aiding and abetting; and it has also been
8 held that presence, companionship, and conduct
9 before and after the offense are circumstances from
10 which one's participation in the criminal intent may
11 be inferred. (Citations omitted).

12 The court upheld the district judge's order denying Robertson's petition for habeas
13 corpus. *Id.*

14 Defendant's reliance upon the cases cited in his brief is misplaced. All of the cases
15 concern the sufficiency of evidence necessary for conviction. All of the cases are factually
16 distinguishable from the instant case.

17 The facts presented to the Grand Jury established that Defendant was present with the
18 codefendant before, during and after the shooting. Defendant actively encouraged his
19 accomplice, through his words and actions, to shoot the victims. Defendant and his accomplice
20 also hid from police in an apartment after the murder.

21 Based upon the facts and arguments set forth above, Defendant is criminally responsible
22 for the crimes of murder with use of a deadly weapon and attempted murder with use of a deadly
23 weapon as an aider or abettor. Accordingly, defendant's petition for writ of habeas corpus
24 should be denied and the writ should be discharged.

25 DATED this 16th day of November, 2000.

26 Respectfully submitted,

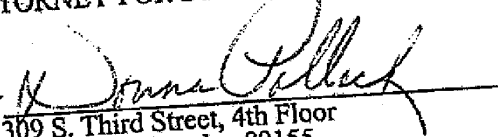
27 STEWART L. BELL
28 DISTRICT ATTORNEY
Nevada Bar #000477

BY David J. J. Roger
DAVID J.J. ROGER
Chief Deputy District Attorney
Nevada Bar #002781

RECEIPT OF COPY

RECEIPT OF COPY of the above and foregoing Return to Writ of Habeas Corpus is
hereby acknowledged this 30th Day of November, 2000.

SPECIAL PUBLIC DEFENDER'S OFFICE
ATTORNEY FOR DEFENDANT

BY 
309 S. Third Street, 4th Floor
Las Vegas, Nevada 89155

13MVUWRITSHOLLIMAN.WPD

1 NEOJ
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

FILED

Nov 29 10 08 PM '00

Shirley B. Higgins
CLERK

DISTRICT COURT
CLARK COUNTY, NEVADA

8 THE STATE OF NEVADA,
9 Plaintiff,

10 -vs-

11 SHELDON HOLLIMON
12 #1203836

13 Defendant.
14

Case No. C170186
Dept. No. XV
Docket

15 NOTICE OF ENTRY OF ORDER

16 TO: SHELDON HOLLIMON, Defendant in proper person

17 YOU WILL PLEASE TAKE NOTICE that an Order was entered in the above-entitled
18 action, a copy of which is attached hereto.

19 DATED this 28th day of November, 2000.

20 STEWART L. BELL
21 DISTRICT ATTORNEY
22 Nevada Bar #000477

23 BY *David J.J. Roger*
24 DAVID J.J. ROGER
25 Chief Deputy District Attorney
26 Nevada Bar #002781
27
28

NOV 29 2000
CLERK

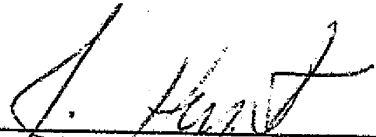
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CERTIFICATE OF MAILING

I hereby certify that service of the NOTICE OF ENTRY OF ORDER was made
the 29 day of November, 2000, by depositing a copy in the U.S. Mail, postage prepaid,
addressed to:

ALZORA JACKSON, Deputy Special Public Defender
309 SOUTH THIRD STREET, 4TH FLOOR
LAS VEGAS NV 89101

BY 
Secretary for the District Attorney's Office

/jeh

ORIGINAL

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FILED

JAN 19 1 35 PM '01

Shirley S. Langmuir
CLERK

C170186

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

CASE NO: C170186 and C169550
DEPT NO: V

vs.

SHELDON HOLLIMON,
#1203836

Defendant.

ORDER TO TRANSPORT

TO: S.D.C.C.
P.O. BOX 208
INDIAN SPRINGS, NEVADA 89101

This matter having come before the Court upon ex parte application, by and
through the Special Public Defender's Office, and good cause appearing therefor,

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COUNTY CLERK

JAN 19 2001

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SPECIAL PUBLIC
DEFENDER

CLARK COUNTY
NEVADA

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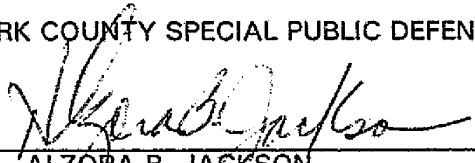
FILED

1 IT IS HEREBY ORDERED that the Southern Desert Correctional Center at
2 Indian Springs, Nevada, transport the Defendant to the Clark County Detention Center,
3 330 South Casino Center Blvd., Las Vegas, Nevada 89101 on Thursday, February 8,
4 2001, in order for counsel to meet with Defendant and prepare for his upcoming trial.

5 DATED this 9 day of January, 2001.

6
7 
8 DISTRICT COURT JUDGE

9 PHILIP J. KOHN
10 CLARK COUNTY SPECIAL PUBLIC DEFENDER

11
12 By 
13 ALZORA B. JACKSON
14 NEVADA BAR #2255
15 DEPUTY SPECIAL PUBLIC DEFENDER
16
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FILED

1 **ORDR**
2 **STEWART L. BELL**
3 **DISTRICT ATTORNEY**
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

Nov 29 10 07 PM '00

Christy E. Augustine
CLERK

DISTRICT COURT
CLARK COUNTY, NEVADA

8 THE STATE OF NEVADA,
9 Plaintiff,

10 -vs-

11 SHELDON HOLLIMON,
12 #1203836

13 Defendant.

Case No. C170186
Dept No. XV

14
15 ORDER DENYING DEFENDANT'S
16 WRIT OF HABEAS CORPUS

17 DATE OF HEARING: 11/28/00
18 TIME OF HEARING: 9:00 A.M.

19 THIS MATTER having come on for hearing before the above entitled Court on the 28th
20 day of November, 2000, the Defendant being present, represented by ALZORA JACKSON,
21 ESQUIRE, the Plaintiff being represented by STEWART L. BELL, District Attorney, through
22 ERIC JORGENSEN, Chief Deputy District Attorney, and the Court having heard the arguments
23 of counsel and good cause appearing therefor,

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1 IT IS HEREBY ORDERED that the Defendant's Petition for Writ of Habeas Corpus,
2 shall be, and it is denied.

3 DATED this 29th day of November, 2000.

4
5 *Leary Cochran*
6 DISTRICT JUDGE *Q*

7
8 STEWART L. BELL
9 DISTRICT ATTORNEY
10 Nevada Bar #000477

11 BY *Eric Jorgenson*
12 ERIC JORGENSON
13 Chief Deputy District Attorney
14 Nevada Bar #001802
15
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28 /jeh

ORIGINAL

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1 **ORDR**
2 PHILIP J. KOHN
3 SPECIAL PUBLIC DEFENDER
4 Nevada Bar No. 000556
5 ALZORA B. JACKSON
6 DEPUTY SPECIAL PUBLIC DEFENDER
7 Nevada Bar No. 002255
8 309 S. Third Street, Fourth Floor
9 Las Vegas, Nevada 89155
10 (702) 455-6265
11 Attorneys for Defendant

FILED

JAN 19 10 35 PM '01

Shirley E. Rungius
CLERK

C170186

DISTRICT COURT
CLARK COUNTY, NEVADA

11 THE STATE OF NEVADA,
12 Plaintiff,

13 vs.

14 SHELDON HOLLIMON,
15 #1203836

16 Defendant.

CASE NO: C170186 and C169550
DEPT NO: V

ORDER TO TRANSPORT

18 TO: S.D.C.C.
19 P.O. BOX 208
20 INDIAN SPRINGS, NEVADA 89101

21 This matter having come before the Court upon ex parte application, by and
22 through the Special Public Defender's Office, and good cause appearing therefor,

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COUNTY CLERK

JAN 19 2001

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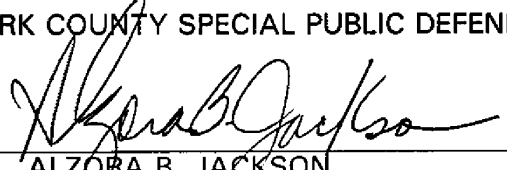
CLARK COUNTY
NEVADA

1 IT IS HEREBY ORDERED that the Southern Desert Correctional Center at
2 Indian Springs, Nevada, transport the Defendant to the Clark County Detention Center,
3 330 South Casino Center Blvd., Las Vegas, Nevada 89101 on Thursday, February 8,
4 2001, in order for counsel to meet with Defendant and prepare for his upcoming trial.

5 DATED this 9 day of January, 2001.

6
7 
8 DISTRICT COURT JUDGE

9 PHILIP J. KOHN
10 CLARK COUNTY SPECIAL PUBLIC DEFENDER

11
12 By 
13 ALZORA B. JACKSON
14 NEVADA BAR #2255
15 DEPUTY SPECIAL PUBLIC DEFENDER

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FILED

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Shirley L. Rungius
CLERK

OPI
STEWART L. BELL
DISTRICT ATTORNEY
Nevada Bar #000477
200 S. Third Street
Las Vegas, Nevada 89155
(702) 455-4711
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

SHELDON HOLLIMON,
ID#1203836

Defendant.

Case No. C170186
Dept. No. XV
Docket

ORDER FOR PRODUCTION OF INMATE
SHELDON HOLLIMON

DATE OF HEARING: 5-16-01
TIME OF HEARING: 8:45 A.M.

TO: SHERMAN HATCHER, Warden of the Southern Desert Correctional Center;

TO: JERRY KELLER, Sheriff of Clark County, Nevada

Upon the ex parte application of THE STATE OF NEVADA, Plaintiff, by STEWART
L. BELL, District Attorney, through DAVID J.J. ROGER, Chief Deputy District Attorney, and
good cause appearing therefor,

IT IS HEREBY ORDERED that SHERMAN HATCHER, Warden of the Southern Desert
Correctional Center, shall be, and is, hereby directed to produce SHELDON HOLLIMON,
Defendant in Case No. C170186, on a charge of Murder With Use of a Deadly Weapon, wherein
THE STATE OF NEVADA is the Plaintiff, inasmuch as the said Defendant is currently
incarcerated in the Southern Desert Correctional Center located in Indian Springs, Nevada and
his presence will be required in Las Vegas, Nevada commencing on Wednesday, May 16, 2001,

COUNTY CLERK

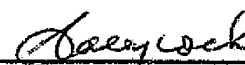
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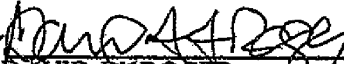
1 at the hour of 8:30 o'clock A.M. and continuing until completion of the prosecution's case
2 against the said Defendant.

3 IT IS FURTHER ORDERED that JERRY KELLER, Sheriff of Clark County, Nevada,
4 shall accept and retain custody of the said Defendant in the Clark County Detention Center, Las
5 Vegas, Nevada, pending completion of said matter in Clark County, or until the further Order
6 of this Court; or in the alternative shall make all arrangements for the transportation of the said
7 Defendant to and from the Nevada State Prison facility which are necessary to insure the
8 Defendant's appearance in Clark County pending completion of said matter, or until further
9 Order of this Court.

10 DATED this 7th day of March, 2001.

11
12 
13 DISTRICT JUDGE

14 STEWART L. BELL
15 DISTRICT ATTORNEY
16 Nevada Bar #000477

17 BY 
18 DAVID J.J. ROGER
19 Chief Deputy District Attorney
20 Nevada Bar #002781
21
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SEP 27 1991
CLERK

1 OTTE
2 PHILIP J. KOHN
3 CLARK COUNTY SPECIAL PUBLIC DEFENDER
4 Nevada Bar #0556
5 JOSEPH S. SCISCENTO
6 Nevada Bar #4380
7 309 South Third Street, 4th Floor
8 Las Vegas, Nevada 89155-2316
9 (702) 455-6265
10 Attorney for Defendant

11 DISTRICT COURT
12 CLARK COUNTY, NEVADA

13 THE STATE OF NEVADA,

14 Plaintiff,

15 vs.

16 SHELDON HOLLIMON,

17 Defendant.

Case No. C170186

Dept. No. XV

EX PARTE ORDER TO TRANSPORT

18 This matter having come before the Court upon ex parte application, by and
19 through the Special Public Defender's Office, and good cause appearing therefor,

20 IT IS HEREBY ORDERED that the Clark County Detention Center at 330
21 South Casino Center Blvd., Las Vegas, Nevada, transport the Defendant to the offices of
22 the Clark County Public Defender's Office located at 200 South Third Street, Suite #226,

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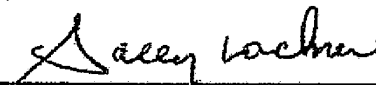
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SPECIAL PUBLIC
DEFENDER

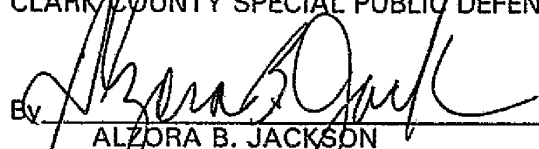
CLARK COUNTY
NEVADA

1 Las Vegas, Nevada on Wednesday, March 14, 2001, at 9:00 a.m. to perform a polygraph
2 examination.

3 DATED this 14th day of March, 2001.

4 
5 DISTRICT COURT JUDGE 

6
7 PHILIP J. KOHN
8 CLARK COUNTY SPECIAL PUBLIC DEFENDER

9 
10 By ALZORA B. JACKSON
11 NEVADA BAR #2265
12 DEPUTY SPECIAL PUBLIC DEFENDER

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SPECIAL PUBLIC
DEFENDER

CLARK COUNTY
NEVADA

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Shirley S. Longoria
CLERK

1 ROC
2 PHILIP J. KOHN
3 SPECIAL PUBLIC DEFENDER
4 Nevada Bar No. 000556
5 ALZORA B. JACKSON
6 DEPUTY SPECIAL PUBLIC DEFENDER
7 Nevada Bar No. 002255
8 309 S. Third Street, Fourth Floor
9 Las Vegas, Nevada 89155
10 (702) 455-6265
11 Attorneys for Defendant

8 DISTRICT COURT
9 CLARK COUNTY, NEVADA

11 THE STATE OF NEVADA,)
12)
13 Plaintiff,)
14 vs.)
15 SHELDON HOLLIMON,)
16 Defendant.)

CASE NO: C170186
DEPT NO: XV

17 RECEIPT OF COPY

18 RECEIPT OF A COPY of the foregoing **Ex Parte Order to Transport** is hereby
19 acknowledged this 13th day of March, 2001.

20 CLARK COUNTY DETENTION CENTER

21
22 By *C. M. [Signature]*
23

RECEIVED

MAR 20 2001

COUNTY CLERK

1 NISD
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

10
FILED

APR 30 3 50 PM '01

Shirley...
CLERK

DISTRICT COURT
CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,
10 Plaintiff,

11 -vs-

12 DAMON LAMAR CAMPBELL
13 #1196647

14 Defendant.

Case No. C169550
Dept No. XV

C170186

17 NOTICE OF EVIDENCE IN SUPPORT OF
18 AGGRAVATING CIRCUMSTANCES

19 COMES NOW, the State of Nevada, through STEWART L. BELL, Clark County District
20 Attorney, by and through DAVID J.J. ROGER, Chief Deputy District Attorney, pursuant to the
21 Order Amending Supreme Court Rule 250 filed on December 30, 1998, NRS 175.552 and NRS
22 200.033 and declares its intention to present the following evidence in support of aggravating
23 circumstance at a penalty hearing:

24 The State intends to present evidence of the facts surrounding the Defendant's contact
25 with the criminal justice system from the following cases and arrests:

26 1. C. Matthews, LVMPD #3665 - On June 7, 1993, Officer Matthews and Officer Perns
27 stopped a vehicle driven by the Defendant. Upon searching the vehicle, officers found a short-
28 barreled shotgun. Subsequently, Defendant plead guilty to Possession of an Unregistered

COUNTY CLERK

MC

1 Firearm in Case No. 93F04316X.

2 2. P. Perns, LVMPD #2823 - See C. Matthews above.

3 3. B. Nellis, LVMPD #4429 - On September 15, 1994, Officer Nellis arrested Defendant

4 for Possession of Stolen Vehicle bearing fictitious license plates with cold plates. Defendant

5 plead guilty to Petit Larceny in Case No. 94F08371B.

6 4. R. Lee, LVMPD #3290 - On January 5, 1995, Officer Lee arrested Defendant for

7 Possession of Controlled Substance. During a search of Defendant's person, officer found

8 Defendant had a firearm hidden on his person. Defendant plead guilty to Possession of a

9 Dangerous Weapon in Case No. 95F00204X.

10 5. J. Faulis, LVMPD #4764 - On August 11, 1996, Officer Faulis and Officer Carpenter

11 initiated a traffic stop on a vehicle driven by the Defendant. When the officer asked the

12 Defendant if he had been smoking marijuana, Defendant drove away from the officer. A high

13 speed chase ensued. Defendant plead guilty to Evade Police Officer, a gross misdemeanor.

14 6. J. Carpenter, LVMPD #5003 - See J. Faulis above.

15 7. Allen Ford, Parole & Probation - Officer Ford authored the Pre-Sentence Investigation

16 Report for Defendant's sentencing on the gross misdemeanor charge.

17 8. J. Weiskopf, LVMPD #5130 - On December 25, 1999, Officer Weiskopf and Officer

18 Riback arrested the Defendant for Aiming a Firearm at Westine Parker during a family

19 disturbance in Case No. 99F20141X.

20 9. S. Riback, LVMPD #5749 - See J. Weiskopf above.

21 10. Leonardo Martinez - Victim impact.

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1 11. Gregory Munson, LVMPD #5847 - On April 10, 2000, Officer Munson and Officer
2 Wolfe spoke to the Defendant about his stolen car. Defendant acknowledged shooting several
3 rounds at the person who drove off with his car.

4 12. Carolyn Wolfe, LVMPD #2873 - See Gregory Munson above.

5 DATED this 27th day of April, 2001.

6 Respectfully submitted,

7 STEWART L. BELL
8 District Attorney
9 Nevada Bar #000477

10 BY David J. J. Roger
11 DAVID J.J. ROGER
12 Chief Deputy District Attorney
13 Nevada Bar #002781

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18 RECEIPT OF COPY

19 RECEIPT OF COPY of the above and foregoing NOTICE OF EVIDENCE IN
20 SUPPORT OF AGGRAVATING CIRCUMSTANCES is hereby acknowledged this 27th day
21 of April, 2001.

22 STANLEY A. WALTON, ESQ.
23 ATTORNEY FOR DEFENDANT

24 BY Carol Ann Thompson
25 550 E. Charleston Blvd, #A
26 Las Vegas, Nevada 89104

1 NOT
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

FILED

APR 30 3 12 PM '01

Shirley B. Higgins
CLERK

DISTRICT COURT
CLARK COUNTY, NEVADA

8 THE STATE OF NEVADA,

9 Plaintiff,

10 -vs-

11 DAMON LAMAR CAMPBELL,
12 #1196647
13 SHELDON HOLLIMON,
14 #1203836

15 Defendants.

Case No. C169550/C170186
Dept. No. XV

16
17 NOTICE OF EXPERT WITNESSES
18 [NRS 174.234 (2)]

19 TO: DAMON LAMAR CAMPBELL and SHELDON HOLLIMON,
20 Defendants; and

21 TO: STANLEY A. WALTON, ESQ. and SPECIAL PUBLIC DEFENDER,
22 Counsels of Record:

23 YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the STATE OF
24 NEVADA intends to call expert witnesses in its case in chief as follows:

25 AOKI, MINO: A Crime Scene Analyst with the Las Vegas Metropolitan Police
26 Department. He is an expert in the area of crime scene analysis and will give opinions related
27 thereto. He is expected to testify regarding the processing of the various crime scenes in this
28 case, as well as the collection and preservation of evidence.

1 **BEAUDETTE, FRANCIS**: A Crime Scene Analyst with the Las Vegas Metropolitan
2 Police Department. She is an expert in the area of crime scene analysis and will give opinions
3 related thereto. She is expected to testify regarding the processing of the various crime scenes
4 in this case, as well as the collection and preservation of evidence.

5 **BROTHERSON, DEBORAH**: A Crime Scene Analyst with the Las Vegas Metropolitan
6 Police Department. She is an expert in the area of crime scene analysis and will give opinions
7 related thereto. She is expected to testify regarding the processing of the various crime scenes
8 in this case, as well as the collection and preservation of evidence.

9 **GUENTHER, ED**: A Criminalist with the Las Vegas Metropolitan Police Department.
10 He is an expert in the area of latent print examination and comparison and will give scientific
11 opinions related thereto. He will testify regarding the various latent print comparisons he
12 performed in this case.

13 **KRYLO, JIM**: A Firearm/Toolmark Examiner with the Las Vegas Metropolitan Police
14 Department. He is an expert in the area of firearm and toolmark analysis and will give opinions
15 related thereto. He is expected to testify regarding the firearms and bullet trajectory comparison
16 of certain evidence collected from the various crime scenes.

17 **LOVETT, JAMES**: UNIVERSITY MEDICAL CENTER - A medical doctor with the
18 University Medical Center. He is an expert in the area of emergency medicine and will give
19 scientific opinions related thereto. He is expected to testify regarding the injuries sustained by
20 the victim.

21 **MORTON, LARRY**: A Crime Scene Analyst with the Las Vegas Metropolitan Police
22 Department. He is an expert in the area of crime scene analysis and will give opinions related
23 thereto. He is expected to testify regarding the processing of the various crime scenes in this
24 case, as well as the collection and preservation of evidence.

25 **NEIL, KELLY**: A Crime Scene Analyst with the Las Vegas Metropolitan Police
26 Department. He is an expert in the area of crime scene analysis and will give opinions related
27 thereto. He is expected to testify regarding the processing of the various crime scenes in this
28 case, as well as the collection and preservation of evidence.

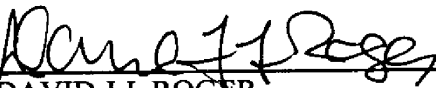
1 **PULLIAM, FRANCIS**: A Crime Scene Analyst with the Las Vegas Metropolitan Police
2 Department. He is an expert in the area of crime scene analysis and will give opinions related
3 thereto. He is expected to testify regarding the processing of the various crime scenes in this
4 case, as well as the collection and preservation of evidence.

5 **TELGENHOFF, GARY**: A medical doctor employed by the Clark County Coroner
6 Medical Examiner. He is an expert in the area of forensic pathology and will give scientific
7 opinions related thereto. He is expected to testify regarding the cause and manner of death of
8 Alberto Martinez.

9 The substance of each expert witness' testimony and a copy of all reports made by or at
10 the direction of the expert witness has been provided in discovery.

11 A copy of each expert witness' curriculum vitae, if available, is attached hereto.

12 STEWART L. BELL
13 DISTRICT ATTORNEY
14 Nevada Bar #000477

15 BY 
16 DAVID J.J. ROGER
17 Chief Deputy District Attorney
18 Nevada Bar #002781
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RECEIPT OF COPY

RECEIPT OF COPY of the above and foregoing NOTICE OF EXPERT WITNESSES
is hereby acknowledged this 30th day of April, 2001.

STANLEY A. WALTON, ESQ.
ATTORNEY FOR DEFENDANT
DAMON LAMAR CAMPBELL

BY Carolina Dillon for SA
550 E. Charleston Blvd #E
Las Vegas, Nevada 89104

SPECIAL PUBLIC DEFENDER'S OFFICE
ATTORNEY FOR DEFENDANT
SHELDON HOLLIMON

BY Sharon Pollock
309 S. Third St., #401
Las Vegas, Nevada 89155

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT
FORENSIC LABORATORY
STATEMENT OF QUALIFICATIONS**

Date: 10-14-99

Name: Minoru Aoki

P#: 1592

Classification: Criminalist II

Current Discipline of Assignment: Toxicology / Blood Alcohol

EXPERIENCE IN THE FOLLOWING DISCIPLINE(S)			
Controlled Substances	X	Blood Alcohol	X
Toolmarks		Breath Alcohol	X
Trace Evidence	X	Arson Analysis	X
Toxicology	X	Firearms	
Latent Prints		Crime Scene Investigations	
Serology	X	Clandestine Laboratory Response Team	X
Document Examination		DNA Analysis	

EDUCATION			
Institution	Dates Attended	Major	Degree Completed
Weber State College	6/69 to 6/74	Chemistry	BA

ADDITIONAL TRAINING / SEMINARS		
Course / Seminar	Location	Dates
A.T.F. / Post-Blast Bomb Investigating	Las Vegas	8/82
McCrone Institute / Forensic Microscopy	Huntington Beach, CA	11/85
FBI / A.A. for Primer Residues	Quantico, VA	9/86
Hewlett Packard / Operator Training for GC/MSD	Paramus, NJ	9/88
Hewlett Packard / Macro Programming	Paramus, NJ	10/88
Becton Dickinson / Master Trainer	Las Vegas	1/90
D.E.A. / Clandestine Laboratory	Las Vegas	2/90
FBI / Explosive Residue	Quantico, VA	9/91
D.E.A. / Drug Seminar	McLean, VA	11/92
CCI / Basic Toxicology	Sacramento, CA	6/94
(CAC) California Association of Criminalists	Pasadena, CA	5/81

MINORU AOKI
Curriculum Vitae
LVMPD P#1592

- 1

CAC / (NWAFFS) Northwest Association of Forensic Scientists	Reno, NV	11/81
CAC	Newport Beach, CA	5/82
CAC	Sacramento, CA	11/82
NWAFFS / (SWAFFS) Southwest Association of Forensic Scientists	Denver, CO	5/85
CAC	Los Angeles, CA	11/85
CAC	Concord, CA	5/86
CAC	Palm Springs, CA	11/86
CAC / NWAFFS	Reno, NV	5/87
Clandestine Lab Investigator Association	Salt Lake City, UT	8/89
NWAFFS	Seattle, WA	11/90
(CLIC) Clandestine Lab Investigating Chemists	San Diego, CA	9/91
Clandestine Lab Investigator Association	Salt Lake City, UT	9/92
NWAFFS	Vancouver, B.C.	11/94
CAC	San Pedro, CA	11/95
Intoxilyzer 5000 Users Group	Reno, NV	8/96
NWAFFS	Las Vegas, NV	11/97
International Association for Chemical Testing (IACT)	Las Vegas, NV	4/98
CAC	San Diego, CA	10/98
Testifying In Court	Las Vegas, NV	2/99
STC Applications Training	Las Vegas, NV	5/99
Clandestine Lab Safety Certification Program	Las Vegas, NV	5/99
Laboratory Auditing	Las Vegas, NV	6/99

COURTROOM EXPERIENCE

<i>Court</i>	<i>Discipline</i>	<i>Number of Times</i>
Clark County District	Controlled Substance / Toxicology / Trace / Serology / Blood Alcohol	> 100
Nye County District	Controlled Substance	3
Lincoln County District	Trace	1
Federal District	Controlled Substance / Blood Alcohol	4
Clark County Justice	Controlled Substance / Toxicology / Serology, Arson, Blood Alcohol, Breath Alcohol, Trace	>100
Nye County Justice	Controlled Substance / Toxicology	1

MINORU AOKI
Curriculum Vitae
LVMPD P#1592

- 2

Esmeralda County Justice	Controlled Substance	1
Lincoln County Justice	Controlled Substance	2
Nellis AFB Adjutant General's Office	Controlled Substance	2
Taxicab Authority	Controlled Substance	3
Las Vegas Municipal	Controlled Substance / Blood Alcohol, Breath Alcohol	>25
Henderson Municipal	Controlled Substance / Blood Alcohol / Breath Alcohol	>10
Nevada State Board of Pharmacy	Controlled Substance	1

EMPLOYMENT HISTORY

<i>Employer</i>	<i>Job Title</i>	<i>Date</i>
Weber State College Crime Lab	Lab Technician	6/77 - 9/77
U.S.G.S. (WRD)	Chemist	11/77 - 6/78
Las Vegas Metropolitan Police Department	Criminalist II	6/78 - present

PROFESSIONAL AFFILIATIONS

<i>Organization</i>	<i>Date(s)</i>
American Chemical Society	5/78 - present
California Association of Criminalists (CAC)	5/81 - present
Northwest Association of Forensic Scientists (NWAFS)	9/85 - present
Clandestine Lab Investigating Chemists (CLIC)	9/91 - present

PUBLICATIONS / PRESENTATIONS:

OTHER QUALIFICATIONS:

MINORU AOKI
Curriculum Vitae
LVMPD P#1592

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**LAS VEGAS METROPOLITAN POLICE DEPARTMENT
FORENSIC LABORATORY
STATEMENT OF QUALIFICATIONS**

Date: 3-20-00

Name: Frances E. Beaudette

P#: 4361

Classification: Criminalist II

Current Discipline of Assignment: Controlled Substances

EXPERIENCE IN THE FOLLOWING DISCIPLINE(S)			
Controlled Substances	X	Blood Alcohol	X
Toolmarks		Breath Alcohol	
Trace Evidence		Arson Analysis	
Toxicology		Firearms	
Latent Prints		Crime Scene Investigations	
Serology		Clandestine Laboratory Response Team	
Document Examination		DNA Analysis	

EDUCATION			
<i>Institution</i>	<i>Dates Attended</i>	<i>Major</i>	<i>Degree Completed</i>
University of Nevada, Las Vegas	8/98 - 5/99	Non-degree	N/A
University of Illinois	9/75 - 6/76, 1/78	Molecular Biology	
Holy Cross Hospital School of Medical Technology	7/76 - 7/77	Medical Technology	Diploma
University of Illinois	9/71 - 6/75	Biological Sciences	BS

ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
Forensic Chemistry and Toxicology	Associated Pathologist Laboratory of Las Vegas	Fall 1990
Controlled Substances - Analysis	LVMPD - OJT	4/92 - 6/92
Blood Alcohol Analysis	LVMPD - OJT	11/92 - 12/92

FRANCES E. BEAUDETTE
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ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
Chromatographic Methods in Forensic Sciences	FBI Academy, Quantico, VA	8/93
Forensic Chemist Seminar	DEA, McLean, VA	9/93
GC-MS (DOS) Data Analysis / Reporting	Hewlett-Packard, San Diego, CA	12/95
Immuno Assay Techniques	Colorado Assn. for Continuing Medical Laboratory Education	Fall 1994
Introduction to Therapeutic Drug Monitoring	Colorado Assn. for Continuing Medical Laboratory Education	Spring 1995
Testing for Drugs of Abuse	Colorado Assn. for Continuing Medical Laboratory Education	Spring 1996
New Civilian Orientation	LVMPD - Training Bureau	6/92
Personal Financial Planning	LVMPD - Training Bureau	10/92
Personal Protection and Self Defense	LVMPD - Training Bureau	3/93
Introduction to Lotus 1-2-3	Clark County	10/93
Drivers Training	LVMPD - Training Bureau	3/94
Building a Powerful Memory	LVMPD - Training Bureau	1/95
Nutrition	LVMPD - Training Bureau	5/95
How to Handle Negativity in the Workplace	LVMPD - Training Bureau	7/95
ASCLD Accreditation Workshop	Denver, CO	10/95
Thinking Outside the Box	LVMPD - Training Bureau	1/96
ODV Narcotics Identification	LVMPD - Training Bureau	8/96
Wall Street Basics	LVMPD - Training Bureau	9/96
Justice Trax	LVMPD - Training Bureau	12/96
Ace Computer System	LVMPD - Evidence Vault	12/96
Leadership 7 Supervisory Skills	Las Vegas, NV	2/97
Financial Planning for Women	LVMPD - Training Bureau	5/97
Introduction to Medical Ethics	Colorado Assn. For Continuing Medical Laboratory Education	Summer 1997
Interpersonal Communication	Self-Study	9/97
MAFS meetings	DeMoines, Iowa	10/97
Interpretation of Mass Spectra	MAFS Workshop and Hewlett Packard Workshop	10/97 and 11/97
NWAFS/SWAFS/CAT/SAT meetings	Las Vegas, NV	11/97
Molecular Medicine	Colorado Association for Continuing Medical Laboratory Education	1998 - Winter
Meetings of the American Academy of Forensic Sciences	San Francisco, CA	2/98
Human Genetics	UNLV	1998 - Fall

FRANCES E. BEAUDETTE
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ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
Analysis of Botanical Drugs - MAFS Workshop	Ann Arbor, MI	10/98
Steroid Analysis - MAFS Workshop	Ann Arbor, MI	10/98
Meetings of the Midwestern Association of Forensic Scientists - MAFS	Ann Arbor, MI	10/98
Adrenal and Pituitary Function	Colorado Association for Continuing Medical Laboratory Education	1999 - Winter
Statistics for Scientists	UNLV	1999 - Spring
Blood Alcohol Analysis	LVMPD - OJT	7/99
Performance Appraisals for Civilian Employees	LVMPD - Training Bureau	8/99
Arson Accelerant Detection	Sacramento, CA	10/99
Meetings of the Midwestern Association of Forensic Scientists - MAFS	Cape Girardeau, MO	10/99
Mitochondrial DNA & STR Interpretation	Cape Girardeau, MO	10/99
General Capillary Electrophoresis Theory and Instrumentation	Cape Girardeau, MO	10/99
Capillary electrophoresis Applications and Techniques in Forensic Drug Analysis	Cape Girardeau, MO	10/99

COURTROOM EXPERIENCE		
<i>Court</i>	<i>Discipline</i>	<i>Number of Times</i>
U.S. District Court - Nevada	Controlled Substances	4
U.S. District Court - Nebraska	Controlled Substances	1
Nevada District Court, 8th District	Controlled Substances	23
Nevada District Court, 5th District	Controlled Substances	4
Nevada District Court, Juvenile Div	Controlled Substances	3
Grand Jury	Controlled Substances	2
Justice Court, Las Vegas	Controlled Substances	24
Justice Court, Tonopah	Controlled Substances	2
Justice Court, Beatty	Controlled Substances	3
Justice Court, Henderson	Controlled Substances	2
Justice Court, Pahrump	Controlled Substances	3
Justice Court, Goldfield	Controlled Substances	1
Nevada District Court, 8th District	Blood Alcohol	2
Justice Court, Las Vegas	Blood Alcohol	0
Municipal Court, Las Vegas	Blood Alcohol	5

FRANCES E. BEAUDETTE
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COURTROOM EXPERIENCE		
<i>Court</i>	<i>Discipline</i>	<i>Number of Times</i>
Municipal Court, Henderson	Blood Alcohol	1
Dept. Motor Vehicles, Las Vegas	Blood Alcohol	25

EMPLOYMENT HISTORY		
<i>Employer</i>	<i>Job Title</i>	<i>Date</i>
LVMPD Forensic Laboratory; Las Vegas, NV	Criminalist II	4/92 - Present
Associated Pathologist Laboratory, Las Vegas, NV	Supv. Technologist	4/89 - 3/92
State of Nevada, Public Health Laboratory	Microbiologist Supervisor	1/87 - 4/89
Rush Presbyterian St. Luke's Medical Center; Chicago, IL	Supv. Technologist	7/77 - 11/86
Holy Cross Hospital; Chicago, IL	Phlebotomist / Lab Technician	8/76 - 7/77

PROFESSIONAL AFFILIATIONS	
<i>Organization</i>	<i>Date(s)</i>
Midwestern Association of Forensic Scientists	10/92
TWGDug / QA	2/98 - 11/99

PUBLICATIONS / PRESENTATIONS:
Presumptive Identification of Methamphetamine using ODV Narco Pouch 7 Field Test Reagents, October 1997 - CAT/NWAFS/SWAFS/SAT meetings

OTHER QUALIFICATIONS:	
Professional Licenses	
American Society of Clinical Pathologists, Registry #MT118248	8/77
State of Nevada Clinical Laboratory Technologist #003738	12/86

FRANCES E. BEAUDETTE
Curriculum Vitae
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**LAS VEGAS METROPOLITAN POLICE DEPARTMENT
FORENSIC LABORATORY
STATEMENT OF QUALIFICATIONS**

Date: October 24, 1997

Name: DEBORAH BROTHERSON P#: 4931 Classification: CRIME SCENE ANALYST II

CURRENT CLASSIFICATION		
	CLASSIFICATION	MINIMUM QUALIFICATIONS
	Crime Scene Analyst I	AA degree with major course work in criminal justice, forensic science, physical science or related field, including specialized training in crime scene investigation
X	Crime Scene Analyst II	18 months - 2 years continuous service with LVMPD as a Crime Scene Analyst I
	Senior Crime Scene Analyst	2 years as a Crime Scene Analyst II to qualify for the promotional test for Senior Crime Scene Analyst
	Crime Scene Analyst Supervisor	4 years continuous service with LVMPD and completion of probation as a Senior Crime Scene Analyst. Must have the equivalent of a bachelor's degree from an accredited college or university with major course work in criminal justice, forensic science, physical science or related field.

FORMAL EDUCATION		
<i>Institution</i>	<i>Major</i>	<i>Degree/Date</i>
CCSN	Criminal Justice	AS 5/94
CCSN	General Studies	AA 5/94

ADDITIONAL TRAINING/SEMINARS		
<i>Course / Seminar</i>	<i>Hours</i>	<i>Date</i>
Top Gun Training – LVMPD	21.00	04/01-04/03/97
Recognition for Highest Number of Makes for the Month = 4		03/97
Fingerprint Classification – Law Enforcement Officers Training School	40.00	10/07-10/11/96
Crime Scene Technology II – Northwestern University, Traffic Institute	40.00	09/23-09/27/96
Gunshot and Stab Wounds – A Medical Examiner's View – Barbara Clark Mims Associates	8.00	07/22/96
CAPSTUN Training – LVMPD	1.50	06/22/96

DEBORAH BROTHERSON
Curriculum Vitae
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ADDITIONAL TRAINING/SEMINARS		
<i>Course / Seminar</i>	<i>Hours</i>	<i>Date</i>
Forensic Science – American Institute of Applied Science	260.00	03/26/96
Automated Investigation Measurement – Regional Manager Nikon Inc.	24.00	01/25/96
New Civilian Employee Orientation – LVMPD	7.00	08/02/95
FATS Training – LVMPD	1.00	04/27/95
Range Training – LVMPD	4.00	04/17/95
Introductory Crime Scene Analyst Training	40.00	04/07/95
TESTIMONY		
Yes	No	
X		Eighth Judicial District, Clark County Nevada
X		Justice Courts of Las Vegas Township
EMPLOYMENT HISTORY		
<i>Employer</i>	<i>Title</i>	<i>Date</i>
Las Vegas Metropolitan Police Department	Crime Scene Analyst	3/95-present
Clark County Coroner	Medical Examiner/Coroner Inv.	8/94-3/95
EG&G Energy Measurements	Photographic	8/81-8/93
PROFESSIONAL AFFILIATIONS		
<i>Organization</i>		<i>Date(s)</i>
International Association For Identification		Pending

DEBORAH BROTHERSON
Curriculum Vitae
LVMPD P#4931

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**LAS VEGAS METROPOLITAN POLICE DEPARTMENT
FORENSIC LABORATORY
STATEMENT OF QUALIFICATIONS**

Date: 10-14-99

Name: Edward S. Guenther P#: 5891 Classification: Latent Print Examiner II
Current Discipline of Assignment: Latent Print Detail

EXPERIENCE IN THE FOLLOWING DISCIPLINE(S)			
Controlled Substances		Blood Alcohol	
Toolmarks		Breath Alcohol	
Trace Evidence		Arson Analysis	
Toxicology		Firearms	
Latent Prints / Shoe Track Analysis	X	Crime Scene Investigations	X
Serology		Clandestine Laboratory Response Team	
Document Examination		DNA Analysis	

EDUCATION			
<i>Institution</i>	<i>Dates Attended</i>	<i>Major</i>	<i>Degree Completed</i>
University of South Florida	9/82 - 12/84	Criminal Justice	BA
Ohio University	9/77 - 12/79	Criminal Justice	
University of Akron	9/73 - 6/75	Biology	

ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
Fingerprint Technician School	FBI - Washington, D.C.	9/75 thru 11/75
Footwear Identification	Tallahassee, FL	10/81
Identification Photography	Quantico, VA	4/83
Latent Fingerprint Analyst Seminar	Tallahassee, FL	11/83
Bloodstain Evidence Workshop	Tallahassee, FL	3/85
Forensic Footwear and Tire Track Seminar	Tallahassee, FL	3/86
Forensic Archeology and Anthropology Seminar	Tallahassee, FL	2/87
Police Arson School	Quantico, VA	4/88
Forensic Identification of Shoe & Tire Prints	Tallahassee, FL	4/88

EDWARD S. GUENTHER
LVMPD P#5891
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ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
Collection and Preservation of Physical Evidence	Quantico, VA	3/89
Advanced Techniques in Crime Scene Seminar	Tallahassee, FL	3/90
Advanced Latent Fingerprint Examiners Seminar	Tampa, FL	9/90
Demystifying Palm Prints	Tampa, FL	1/92
AFIS Training Seminar	Tampa, FL	12/92
Identification of Vehicles Through Tire Tracks	Tallahassee, FL	5/93
Latent Print Development Techniques	Tallahassee, FL	11/95
Tire Tracks as Evidence	Panama City, FL	10/96
Meetings		
International Association of Identification	Orlando, FL	8/83
International Association of Identification	Savannah, GA	7/85
FDIAI Conference	Stuart, FL	10/87
FDIAI Conference	Tallahassee, FL	10/91
FDIAI Conference	Tampa, FL	10/95
FDIAI Conference	Panama City, FL	10/96
FDIAI Conference	Palm Beach, FL	10/97
1998 Printrak Users Conference	Anaheim, CA	9/98
COURTROOM EXPERIENCE		
<i>Court</i>	<i>Discipline</i>	<i>Number of Times</i>
State Courts of Florida, Ohio & Nevada	Latent Prints	>100
Federal Courts of Florida	Latent Prints	3 to 5
State Courts of Florida	Shoe Tracks	> 50
State Courts of Florida	Crime Scene Analysis	Approx. 30
EMPLOYMENT HISTORY		
<i>Employer</i>	<i>Job Title</i>	<i>Date</i>
Las Vegas Metropolitan Police Dept.	Latent Print Examiner	5/98 - current
Florida Department of Law Enforcement	Senior Crime Lab Analyst - Latents	3/80 - 5/98
Ohio Bureau of Criminal Identification and Investigation	Latent Print Examiner	2/77 - 3/80
Federal Bureau of Investigation	Fingerprint Technician	6/75 - 11/76

EDWARD S. GUENTHER
LVMPD P#5891
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PROFESSIONAL AFFILIATIONS	
<i>Organization</i>	<i>Date(s)</i>
Active member of the International Association for Identification	Current
Active member of the Florida Division of the International Association for Identification	1986 - 1998
PUBLICATIONS / PRESENTATIONS	
OTHER QUALIFICATIONS	
Certified Latent Print Examiner by the International Association for Identification	

EDWARD S. GUENTHER
 LVMPD P#5891
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**LAS VEGAS METROPOLITAN POLICE DEPARTMENT
FORENSIC LABORATORY
STATEMENT OF QUALIFICATIONS**

Date: 5/4/99

Name: James Krylo P#: 5945 Classification: Firearm / Toolmark Examiner

Current Discipline of Assignment: Firearm / Toolmarks

EXPERIENCE IN THE FOLLOWING DISCIPLINE(S)			
Controlled Substances		Blood Alcohol	
Toolmarks	X	Breath Alcohol	
Trace Evidence		Arson Analysis	
Toxicology		Firearms	X
Latent Prints	X	Crime Scene Investigations	X
Serology		Clandestine Laboratory Response Team	
Document Examination		DNA Analysis	
EDUCATION			
Institution	Dates Attended	Major	Degree Completed
California State University, Long Beach	9/76 – 12/80	Criminalistics	B.S.
ADDITIONAL TRAINING / SEMINARS			
Course / Seminar	Location	Dates	
Association of Firearm and Toolmark Examiners Training Seminar	San Mateo, CA	1983	
Washington State Criminal Justice Training Center / FBI Fingerprint Identification	Seattle, WA	1984	
International Association of Bloodstain Pattern Analysts Training Seminar	Olympia, WA	1985	
Loctite Corp. Cyanoacrylate Fuming for Latent Fingerprint Techniques		1985	

JAMES KRYLO
LVMPD P#5945
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ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
Washington State Criminal Justice Training Center / FBI Advanced Latent Fingerprint Techniques	Seattle, WA	1986
Washington State Patrol Leaf Marijuana Identification	Shelton, WA	1987
Assoc. of Firearm and Toolmark Examiners Seminar	Seattle, WA	1988
International Association for Identification Pacific Northwest Division Training Seminar	Spokane, WA	1989
Kodak/Nikon Law Enforcement Photography	Tacoma, WA	1989
Washington State Criminal Justice Training Center Homicide Investigation	Seattle, WA	1989
International Assoc. of Bloodstain Pattern Analysts Training Seminar	Reno, NV	1990
International Association for Identification Pacific Northwest Division Training Seminar	Yakima, WA	1990
Midwestern Association of Forensic Scientists Blood Spatter Workshop		1990
Washoe Co. Sheriff's Office Advanced Crime Scene Reconstruction	Reno, NV	1991
Beretta Armorer's Course	Tacoma, WA	1992
Oregon State Police Advanced Firearms Training	OR	1992
Smith & Wesson Revolver Armorer's course	Galt, CA	1992
Washington State Law Enforcement Firearms Instructors Assoc. Training Seminar	Seattle, WA	1992
Assoc. of Firearm And Toolmark Examiners Annual Training Seminar	Raleigh, NC	1993
Ruger Armorer's course	Tacoma, WA	1993
Ruger Revolver Familiarization course	Raleigh, NC	1993
SigSauer Pistols Armorer's course	Raleigh, NC	1993
Smith & Wesson Pistol Armorer's course	Bellevue, WA	1993
Washington State Criminal Justice Training Center/Washington State Law Enforcement Firearms Instructors Association Training Seminar	Seattle, WA	1993
Glock Armorer's Course	Oregon City, OR	1994
Range Management Services Inc. Managing Lead Hazards in Indoor Firing	Olympia, WA	1994
Washington State Law Enforcement Firearms Instructors Assoc. Training Seminar	Seattle, WA	1994
Colt M16 / AR15 Armorer's course	OR	1995
Federal Cartridge Co. Law Enforcement Ammunition and Ballistics Seminar	Tacoma, WA	1995
Washington State Criminal Justice Training Center / Washington	Seattle, WA	1995

JAMES KRYLO
LVMPD P#5945
Curriculum Vitae
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ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
State Law Enforcement Firearms Instructors Assoc. Training Seminar		
Washington State Law Enforcement Firearms Instructors Association Training Seminar	Seattle, WA	1995
Heckler & Koch MP5/Rifle Armorer's Course	Tacoma, WA	1996
Oehler Ballistics Workshop	Fredricksberg, TX	1996
FBI Gunshot Residue School	Marysville, WA	1997
Forensic Technology "IBIS" Training Course	Tacoma, WA	1997
International Association of Bloodstain Pattern Analysts Training Seminar	Seattle, WA	1997
Mnemonic Systems Inc. Introduction to "Drugfire" Course	Washington, DC	1997
Remington Armorer's course	Bellevue, WA	1997
FBI Bullet Trajectory and Shooting Reconstruction School	Los Angeles, CA	1998
Washington State Criminal Justice Training Center / Washington State Law Enforcement Firearms Instructors Association Training Seminar	Seattle, WA	1998
NV State Division for the International Association for Identification Conference	Las Vegas, NV	04/99
COURTROOM EXPERIENCE		
<i>Court</i>	<i>Discipline</i>	<i>Number of Times</i>
Federal - Washington (Tacoma)	Latent Prints	1
Municipal - California (Orange County)	Latent Prints	5
Superior - California (Orange County)	Latent Prints	2
Superior - Washington (King & Pierce Counties)	Latent Prints	11
Coroner's Inquest - Washington (King County)	Firearms	4
District - Washington (Pacific County)	Firearms	1
Grand Jury - California (Orange County)	Firearms	1
Grand Jury - Federal (Seattle, WA)	Firearms	1
Justice - Nevada (Las Vegas)	Firearms	1
Juvenile - California (Orange County)	Firearms	1
Juvenile - Washington (Pierce and King Counties)	Firearms	4
Military - USMC (El Toro, CA)	Firearms	1
Superior - California (Orange County)	Firearms	11
Superior - Washington (Clallam, Clark, Cowlitz, Grays Harbor,	Firearms	105

JAMES KRYLO
LVMPD P#5945
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COURTROOM EXPERIENCE		
<i>Court</i>	<i>Discipline</i>	<i>Number of Times</i>
Jefferson, King, Kitsap, Klicitat, Lewis, Mason, Pacific, Pierce, San Juan, Skamania, Snohomish, and Thurston Counties		

EMPLOYMENT HISTORY		
<i>Employer</i>	<i>Job Title</i>	<i>Date</i>
Las Vegas Metropolitan Police Department	Firearm/Toolmark Examiner	1998 – Present
Washington State Patrol	Forensic Scientist	1991 – 1998
Pierce County Sheriff's Department	Identification Officer	1986 – 1991
Seattle Police Department	Identification Technician	1984 – 1986
Orange County Sheriff's Department	Forensic Specialist	1981 – 1984
Anaheim Police Department	Identification Technician	1981

PROFESSIONAL AFFILIATIONS	
<i>Organization</i>	<i>Date(s)</i>
Association of Firearm and Toolmark Examiners	1993 – Present
International Association of Bloodstain Pattern Analysts	1991 – Present
Washington State Law Enforcement Firearms Instructors Association	1994 – 1998

PUBLICATIONS / PRESENTATIONS:
<i>BRI 12 GA/.500 Sabot Bullet</i> – AFTE Journal – October 1983
<i>Trigger Pull Statistics</i> – AFTE Journal – January 1985
<i>Drop Testing a 45 Auto Colt 1911</i> – AFTE Journal – Spring 1997

OTHER QUALIFICATIONS:

JAMES KRYLO
LVMPD P#5945
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LAS VEGAS CRIMINALISTICS BUREAU STATEMENT OF QUALIFICATIONS

Name: **LARRY R. MORTON**

P# **4935**

Date: **10/24/97**

CURRENT CLASSIFICATION		
	CLASSIFICATION	MINIMUM QUALIFICATIONS
	Crime Scene Analyst I	AA degree with major course work in criminal justice, forensic science, physical science or related field, including specialized training in crime scene investigation
X	Crime Scene Analyst II	18 months - 2 years continuous service with LVMPD as a Crime Scene Analyst I
	Senior Crime Scene Analyst	2 years as a Crime Scene Analyst II to qualify for the promotional test for Senior Crime Scene Analyst
	Crime Scene Analyst Supervisor	4 years continuous service with LVMPD and completion of probation as a Senior Crime Scene Analyst. Must have the equivalent of a bachelor's degree from an accredited college or university with major course work in criminal justice, forensic science, physical science or related field.

FORMAL EDUCATION		
Institution	Major	Degree/Date
San Diego City College	Criminal Justice	1975

ADDITIONAL TRAINING/SEMINARS		
Course / Seminar	Hours	Date
University of the State of New York	AA	09/20/74
Introductory Crime Scene Analyst Training	40	04/07/95
Range Training	2.5	04/17/95
FATS Training	2	05/09/95
Range Training	1	08/25/95
Courtroom Skills and Tactics - Video	.50	11/29/95
New Civilian Orientation	7	12/05/95
New Civilian Employee Orientation	7	12/05/95
Crime Scene Preservation & Investigation	4	03/26/96
Applied Neurolinguistic Programming	8	06/03/96
Forensic Tech for Law Enforcement	2	08/21/96
Crime Scene Technology II	40	09/23/96 - 09/27/96

LARRY R. MORTON
LVMPD P#4935
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Top Gun Training		21	03/03/97 – 03/06/97
Civilian Use of Force & Firearm Training		21	03/19/97, 03/20/97 & 03/26/97
TESTIMONY			
Yes	No		
X		Eighth Judicial District, Clark County Nevada	
	X	Justice Courts of Las Vegas Township	
EMPLOYMENT HISTORY			
<i>Employer</i>		<i>Title</i>	<i>Date</i>
Las Vegas Metropolitan Police Department		Crime Scene Analyst	04/95 – Present
Plaza Hotel-Las Vegas		Security Officer	08/94 – 04/95
San Diego Police Department		Police Officer	1975 – 1994

LARRY R. MORTON
LVMPD P#4935
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LAS VEGAS CRIMINALISTICS BUREAU

STATEMENT OF QUALIFICATIONS

Name: **KELLY R. NEIL**

P# **5410**

Date: **10/24/97**

CURRENT CLASSIFICATION		
	CLASSIFICATION	MINIMUM QUALIFICATIONS
X	Crime Scene Analyst I	AA degree with major course work in criminal justice, forensic science, physical science or related field, including specialized training in crime scene investigation
	Crime Scene Analyst II	18 months - 2 years continuous service with LVMPD as a Crime Scene Analyst I
	Senior Crime Scene Analyst	2 years as a Crime Scene Analyst II to qualify for the promotional test for Senior Crime Scene Analyst
	Crime Scene Analyst Supervisor	4 years continuous service with LVMPD and completion of probation as a Senior Crime Scene Analyst. Must have the equivalent of a bachelor's degree from an accredited college or university with major course work in criminal justice, forensic science, physical science or related field.

FORMAL EDUCATION		
Institution	Major	Degree/Date
Pittsburgh State University	Molecular Biology	Graduate Studies
Missouri Southern State College	Biology/Chemistry	BS 05/94

ADDITIONAL TRAINING/SEMINARS		
Course / Seminar	Hours	Date
Crime Scene Analyst Academy – LVMPD	175	01/27/97 – 02/28/97
Hazard Communications Training Certificate / Video – LVMPD		02/03/97
Ethics & Leadership – LVMPD	7	02/06/97
Stress Management – LVMPD	4	02/10/97
Civilian Use of Force & Firearm Training – LVMPD	21	02/12/97, 02/13/97 & 02/19/97
Civil & Criminal Law – LVMPD	5	02/17/97
Top Gun Class	21	05/27/97 – 05/29/97

TESTIMONY		
Yes	No	
	X	Eighth Judicial District, Clark County Nevada
	X	Justice Courts of Las Vegas Township

KELLY R. NEIL
LVMPD P#5410
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EMPLOYMENT HISTORY		
<i>Employer</i>	<i>Title</i>	<i>Date</i>
Las Vegas Metropolitan Police Department	Crime Scene Analyst	01/97 – Present
Dr. Mark W. Catron	Death Review Board	05/86 – 05/96
PROFESSIONAL AFFILIATIONS		
<i>Organization</i>	<i>Date(s)</i>	
International Association For Identification	08/97	

KELLY R. NEIL
LVMPD P#5410
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LAS VEGAS CRIMINALISTICS BUREAU**STATEMENT OF QUALIFICATIONS**

Name:	FRANCIS R. PULLIAM	P#	5412	Date:	October 24, 1997
CURRENT CLASSIFICATION					
	<i>CLASSIFICATION</i>	<i>MINIMUM QUALIFICATIONS</i>			
X	CRIME SCENE ANALYST I	AA DEGREE WITH MAJOR COURSE WORK IN CRIMINAL JUSTICE, FORENSIC SCIENCE, PHYSICAL SCIENCE OR RELATED FIELD, INCLUDING SPECIALIZED TRAINING IN CRIME SCENE INVESTIGATION			
	CRIME SCENE ANALYST II	18 MONTHS - 2 YEARS CONTINUOUS SERVICE WITH LVMPD AS A CRIME SCENE ANALYST I			
	SENIOR CRIME SCENE ANALYST	2 YEARS AS A CRIME SCENE ANALYST II TO QUALIFY FOR THE PROMOTIONAL TEST FOR SENIOR CRIME SCENE ANALYST			
	CRIME SCENE ANALYST SUPERVISOR	4 YEARS CONTINUOUS SERVICE WITH LVMPD AND COMPLETION OF PROBATION AS A SENIOR CRIME SCENE ANALYST. MUST HAVE THE EQUIVALENT OF A BACHELOR'S DEGREE FROM AN ACCREDITED COLLEGE OR UNIVERSITY WITH MAJOR COURSE WORK IN CRIMINAL JUSTICE, FORENSIC SCIENCE, PHYSICAL SCIENCE OR			

		RELATED FIELD.
FORMAL EDUCATION		
<i>Institution</i>	<i>Major</i>	<i>Degree/ Date</i>
TESTIMONY		
<i>Yes</i>	<i>No</i>	
	X	Eighth Judicial District, Clark County Nevada
	X -	Justice Courts of Las Vegas Township
EMPLOYMENT HISTORY		
<i>Employer</i>	<i>Title</i>	<i>Date</i>
LAS VEGAS METROPOLITAN POLICE DEPARTMENT	CRIME SCENE ANALYST	1/97 present
MISSOULA POLICE DEPT. MT	CAPTAIN (5 YRS. I.D. SGT., 1 YR. DETECTIVE SGT)	1970-1990
PROFESSIONAL AFFILIATIONS		
<i>Organization</i>		<i>Date(s)</i>

CURRICULUM VITAE

GARY DEAN TELGENHOFF, M.S., D.O.

Home Address:

1700 Alta Drive
Apt. 1071 Las
Vegas, NV 89106
(702) 383-7016

Office Address:

Office of the Coroner/Medical Examiner
1704 Pinto Ln.
Las Vegas, NV 89106
(702) 455-3210
E-mail: gte@co.clark.nv.us
Fax: (702) 455-0416

CERTIFICATIONS

- National Osteopathic Boards, parts I, II & III.
- Anatomic Pathology, American Board of Pathology

LICENSURE

- State of Ohio and Nevada

EMPLOYMENT

- Deputy Medical Examiner/Forensic Pathologist – Clark County Coroner's Office.
Las Vegas, Nevada 8/1/98 – Present.
- Deputy Coroner/Forensic Pathologist – Montgomery County Coroner's Office
Dayton, Ohio 7/1/97 – 6/30/98.

EDUCATION

FELLOWSHIP:

- Forensic Pathology, Montgomery County Coroner's Office, Dayton, Ohio 7/97 – 6/30/98.

RESIDENCY:

- Pathology (AP)
Medical College of Ohio at Toledo and Mercy Hospital
Toledo, Ohio 8/95 – 6/97.
- Elective, Forensic Pathology (6 months)
Lucas County Coroner's Office
Toledo, Ohio.
- Pathology (AP/CP)
Cleveland Clinic Foundation
Cleveland, Ohio, 7/93 – 6/95.
- Forensic Training (1 month)
Cuyahoga County Coroner's Office
Cleveland, Ohio.

INTERNSHIP:

- Transitional/rotating
Ingham Medical Center
Lansing, Michigan, 7/92 – 6/93.

MEDICAL SCHOOL:

- 9/88 – 6/92
D.O:
College of Osteopathic Medicine
Michigan State University
East Lansing, Michigan
95th percentile.

GRADUATE SCHOOL:

- 8/86 – 10/89

M.S. Biology/Physiology
Eastern Michigan University
Ypsilanti, Michigan

UNDERGRADUATE:

- 9/75 – 6/79
B.A. Biology/Chemistry
Spring Arbor College
Spring Arbor, Michigan,

Magna Cum Laude.

OTHER:

Electron Microscopy: Eastern Michigan University,
1988. Autopsy Electives, medical school and internship,
Sparrow Hospital and Ingham Medical Center, Lansing,
Michigan, 1989, 1993. Electronics: Wexford/Missaukee
Vocational School, 1975.

ABSTRACTS:

- **Telgenhoff GD, Nine, JS.** "A Fatal Automobile Accident Following an Anaphylactic Reaction to Bee Venom." Submitted for poster presentation at *The American Academy of Forensic Sciences, March 1998 meeting.*

RESEARCH:

- **Telgenhoff GD, Renk C.** "The Effect of Exercise Stress on the Mitogen-Stimulated Proliferation of Peripheral Blood Lymphocytes." Eastern Michigan University. Funded by the School of Clinical Laboratory Sciences, Department of Biology and the National Science Foundation. 10/89.

HONORS AND AWARDS:

- **Dean's List:** four years undergraduate, one-year post-graduate and two

years graduate.

- **National Dean's List:** 1979, 1987, 1988.

FORMAL PRESENTATIONS:

- **"Electrical Injury; a forensic perspective."** Scientific Day, Medical College of Ohio, 5/97.
- **"Coccidioidomycosis; review and update."**
Grand Rounds; Medical College of Ohio, 9/95.
Grand Rounds; Cleveland Clinic Foundation, 4/95
- **"IgM Nephropathy; a distinct Clinicopathologic entity?"**
Grand Rounds; Medical College of Ohio, 3/97.
Grand Rounds; Cleveland Clinic Foundation, 5/94.
- **"Primary, Diffuse, Leptomeningeal Gliomatosis."**
Scientific Day, Medical College of Ohio, 4/96.
- Numerous microbiology, internal medicine, hematology, surgical, tumor board, radiology, and morbidity and mortality conferences:
Medical College of Ohio, Mercy Hospital, Toledo 8/95 – 6/97.
Cleveland Clinic Foundation, Cleveland, 7/93 – 6/95.

CONFERENCES AND COURSES ATTENDED:

- Practical Homicide Investigation, Las Vegas, Nevada. 5/99.
- Second Annual Pediatric Forensic Issues, San Diego, California. 10/98.
- Evidence Technician Course, Montgomery County Crime Lab, Dayton, Ohio. 10/1/97 – 10/31/97.
- American Academy of Forensic Sciences:
 - Nashville, Tennessee. 2/96.
 - San Francisco, California. 2/98.
- American Society of Clinical Pathologists:
 - Orlando, Florida. 5/95.

TEACHING APPOINTMENTS:

- **Staff Instructor of Medical Students, Residents, Law enforcement students, Pathology assistant and investigation reservists.**
Clark County Coroner's Office. 8/1/98 – present.
- **Clinical Faculty, Pathology:** School of Medicine, Wright State

University. Dayton, Ohio. 7/97 – 6/98.

- **Resident Instructor of Pathology Laboratories:** Medical College of Ohio, Toledo, Ohio. 8/95 – 6/97.
- **Resident Instructor of Medical Technology Students:** Cleveland Clinic Foundation, Cleveland, Ohio. 7/93 – 6/95.
- **Resident Instructor of Medical Students:** Cleveland Clinic Foundation, Cleveland, Ohio. 7/93 – 6/95.
- **Teaching Assistant:** Medical students, histology. College of Osteopathic Medicine, Michigan State University, 9/88 – 12/88.
- **Medical Student Tutor:** Histology, Immunology, Physiology and Neuroanatomy. College of Osteopathic Medicine, Michigan State University, 9/88 – 6/90.
- **Graduate Teaching Assistant of Nursing Students:** Human Gross Anatomy, physiology and histology. Eastern Michigan University, Ypsilanti, Michigan. 9/86 – 6/88.
- **Teaching Assistant:** Genetics, Microbiology, Botany. Spring Arbor College, Spring Arbor, Michigan. 9/78 – 6/79.

OTHER EXPERIENCE:

- **Cardiac Research Assistant:** Cleveland Clinic Foundation, 7/93 – 6/95.
- **Autopsy Pathologist ("moon-lighting"):** Cleveland, Ohio, 7/94 – 6/95.
- **Autopsy Assistant (diener):** Veteran's Administration Hospital, Ann Arbor, Michigan, 1988.
- **Phlebotomist:** Veteran's Administration Hospital, Ann Arbor, Michigan, 1988.

PROFESSIONAL ORGANIZATIONS:

- Member, National Association of Medical Examiners (NAME).
- Provisional Member, American Academy of Forensic Sciences (AAFS).
- American Society of Clinical Pathologists (ASCP).

COMMITTEE APPOINTMENTS:

- Child Death Review Board, Las Vegas, Nevada, 8/98 – present.

OTHER EMPLOYMENT/EXPERIENCE:

- Full-time, professional musician, 1979 – 1989.
- Part-time, professional musician, 1994 – present.

INTERESTS:

Photography, music, travel, hiking, camping, downhill and cross-country skiing, oil and acrylic painting.

PERSONAL:

- **Birthdate** 8/3/57
- **Birthplace** Cadillac, Michigan
- **Marital Status** Single

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0001
STEWART L. BELL
DISTRICT ATTORNEY
Nevada Bar #000477
200 S. Third Street
Las Vegas, Nevada 89155
(702) 455-4711
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

DAMON LAMAR CAMPBELL,
#1196647

Defendant.

Case No. C169550
Dept. No. XV
Docket U

C170186

NOTICE OF MOTION AND MOTION TO ADMIT
EVIDENCE OF OTHER CRIMES

DATE OF HEARING: 5-16-01
TIME OF HEARING: 8:30 A.M.

COMES NOW, the State of Nevada, by STEWART L. BELL, District Attorney, through
DAVID J.J. ROGER, Chief Deputy District Attorney, and files this Notice of Motion and
Motion to Admit Evidence of Other Crimes.

This Motion is made and based upon all the papers and pleadings on file herein, the
attached points and authorities in support hereof, and oral argument at the time of hearing, if
deemed necessary by this Honorable Court.

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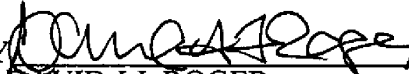
(SFO)

1 **NOTICE OF HEARING**

2 YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the undersigned will
3 bring the foregoing motion on for setting before the above entitled Court, in Department XV
4 thereof, on Wednesday, the 16th day of May, 2001, at the hour of 8:30 o'clock a.m., or as soon
5 thereafter as counsel may be heard.

6 DATED this 30th day of April, 2001.

7 STEWART L. BELL
8 DISTRICT ATTORNEY
9 Nevada Bar #000477

10 BY 
11 DAVID J.J. ROGER
12 Chief Deputy District Attorney
13 Nevada Bar #002781

14 **STATEMENT OF FACTS**

15 On July 22, 2000, at approximately 1:30 a.m., the victims were drinking beer after their
16 soccer practice. Defendant and his accomplice, Sheldon Holliman, parked their vehicle in the
17 alley and walked past the victims. According to the victims, Defendant and Holliman returned
18 a short time later. Defendant was armed with a handgun. At least one of the victims stated
19 Defendant said "I don't want to see you Mexicans around here anymore." Then Defendant
20 began shooting at the victims. As the Defendant fired rounds at the unarmed victims, Sheldon
21 Holliman began yelling "Shoot. Shoot." During the melee, a young child ran out into the alley.
22 A witness grabbed the child and begged Defendant to not shoot the child. Defendant responded
23 "He's just another little Mexican."

24 Several witnesses observed Defendant and Holliman enter apartment #2. The
25 apartment's bathroom window faces the parking lot where the shooting occurred. As the group
26 of males gathered themselves in the lot, near Defendant's car, an unidentified individual fired
27 shots from the bathroom window. One round struck Luis Alberto in the head. Another victim,
28 who was shot in the back, was rendered a paraplegic. Another victim suffered a graze wound
to his arm.

1 A short time later, police arrived at the scene. Upon learning that the Defendant entered
2 the apartment, police went to speak with the occupants of the apartment. The occupants did not
3 answer the door. As a result, police obtained a key to the apartment and entered. Defendant,
4 Holliman and two females were removed from the apartment. A search warrant was obtained
5 to search the apartment. Officers found the murder weapon and a shotgun.

6 Defendant spoke with Detectives at the scene. Although he acknowledged shooting at
7 the victims, allegedly in self defense, Defendant denied shooting rounds through the bathroom
8 window. However, there were an excessive number of expended cartridges found at the scene.
9 As a result, it was clear to detectives that Defendant reloaded the murder weapon. Also, some
10 of the witnesses within the apartment reported hearing more shots after Defendant entered the
11 apartment.

12 The State seeks to introduce evidence that on April 10, 2000, Defendant reported his
13 vehicle was stolēn. Defendant explained that his car was parked in the lot located at 2933 Elm
14 Ave. At approximately 12:24 a.m., Defendant saw his car's break lights illuminate. As he
15 looked outside, Defendant observed a person enter his car. According to Defendant, he retrieved
16 his .22 caliber rifle and fired four (4) rounds through his bathroom window at the person fleeing
17 in Defendant's car.

18 POINTS AND AUTHORITIES

19 I

20 EVIDENCE OF DEFENDANT'S PRIOR SHOOTING IS ADMISSIBLE TO 21 ESTABLISH IDENTITY AND COMMON SCHEME OR PLAN.

22 The decision to admit or exclude evidence, lies within the discretion of the court. Such
23 a decision will not be reversed absent manifest error. *Kazalyn v. State*, 108 Nev. 67, 825 P.2d
24 578 (1992); *Halbower v. State*, 93 Nev. 212, 562 P.2d 485 (1977).

25 In *Petrocelli v. State*, 101 Nev. 46, 692 P.2d 503 (1985), Petrocelli was charged with
26 shooting a car salesman in the head with a .22 caliber handgun. Petrocelli claimed that the
27 shooting was done during an argument with the car dealer and that it was an accident. The trial
28 court allowed evidence that Petrocelli had previously become embroiled in an argument with a

1 female. He drug her out of her place of employment and shot and killed her with a .22 caliber
2 handgun. The Nevada Supreme Court upheld the trial court's decision to allow such evidence
3 to establish the absence of mistake or accident.

4 Similarly, in *Gallego v. State*, 101 Nev. 782, 711 P.2d 856 (1985), Gallego was charged
5 with killing two young females with a hammer. The two women were kidnapped by Gallegos
6 and his wife and transported to their fatal destination as part of the Gallego's "sex slave "
7 fantasy. The trial court allowed evidence that Gallegos had previously kidnapped two young
8 women from a shopping mall and thereafter shot and killed them. The high court affirmed the
9 lower court's ruling and allowed such evidence for the purposes of establishing common plan,
10 intent, identity and motive. *Id.* 101 Nev. at 788.

11 Likewise, in *Reed v. State*, 95 Nev. 190, 591 P.2d 274 (1979) the defendant was charged
12 with burglary. The victim testified that she was in her motel room when she heard the window
13 open. She saw a hand reach in and turn the doorknob. Thereafter, two men entered the room
14 and took her purse and a cup of change. The victim testified that she thought that the defendant
15 was the man who stood at the door. A palmprint and a fingerprint from the point of entry
16 matched the defendant. The State was permitted to introduce evidence of two other motel
17 burglaries where the defendant's fingerprints were recovered. Also, one victim also identified
18 the defendant as committing one of the burglaries.

19 In upholding the ruling of the trial court admitting the evidence of other crimes, the
20 Nevada Supreme Court held that the evidence was properly admitted to establish the identity of
21 the person who burglarized the motel room.

22 In *Canada v. State*, 104 Nev. 288, 293, 756 P.2d 555 (1988), the court allowed evidence
23 of a separate bar robbery to establish the identity of the perpetrators. In response to Canada's
24 argument that the eye witness identification was weak in the case in which he was being tried
25 and, therefore, the evidence was more prejudicial than probative. The Nevada Supreme Court
26 in upholding the trial court's decision to allow such evidence stated:

27 We conclude that the difficulty in identifying the
28 perpetrators coupled with the high degree of
similarity between the crimes makes the evidence

1 of the other robbery more probative than
2 prejudicial.

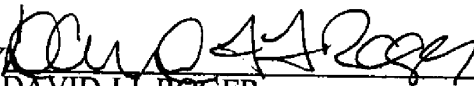
3 Id.

4 Federal courts also admit such evidence to establish identity. See, U.S. v. Two Eagle, 633
5 F.2d 93 (8th Cir. 1980), (where issue was the identity of the person who assaulted the victim and
6 drove off in his car, evidence that the defendant was seen in possession of the car was admissible
7 to prove identity); (United States v. Hamilton, 684 F.2d 380 (6th Cir. 1982), (in prosecution for
8 passing a one dollar bill with the corners of a twenty bill pasted on it, evidence that defendant
9 had previously pasted a two dollar bill altered in the same way was admissible to show
10 defendant's identity).

11 In the instant case, evidence of Defendant's prior shooting at individuals is admissible
12 to establish identity and common scheme or plan. On both occasions, Defendant was agitated
13 at his intended victims. Both shootings originated from the bathroom window of Defendant's
14 apartment. Based upon the foregoing, the instant motion should be granted.

15 DATED this 30th day of April, 2001.

16 STEWART L. BELL
17 DISTRICT ATTORNEY
Nevada Bar #000477

18
19 BY 
20 DAVID J.J. ROGER
21 Chief Deputy District Attorney
Nevada Bar #002781

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RECEIPT OF COPY

RECEIPT OF COPY of the above and foregoing NOTICE OF MOTION AND MOTION
TO ADMIT EVIDENCE OF OTHER CRIMES is hereby acknowledged this 20th day of
April, 2001.

STANLEY A. WALTON, ESQ.
ATTORNEY FOR DEFENDANT

BY Complimentation for SAW
550 E. Charleston Blvd., #A
Las Vegas, Nevada 89101

1 NOT
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

FILED

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Shirley L. Rungius
CLERK

DISTRICT COURT
CLARK COUNTY, NEVADA

8 THE STATE OF NEVADA,

9 Plaintiff,

10 -vs-

11 DAMON LAMAR CAMPBELL,
12 #1196647
13 SHELDON HOLLIMON,
14 #1203836

15 Defendants.

Case No. C169550/C170186
Dept. No. XV

16 NOTICE OF WITNESSES
17 [NRS 174.234(1)(b)]

18 TO: DAMON LAMAR CAMPBELL and SHELDON HOLLIMON,
19 Defendants; and

20 TO: STANLEY A. WALTON, ESQ. and SPECIAL PUBLIC DEFENDER,
21 Counsels of Record:

22 YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the STATE OF
23 NEVADA intends to call the following witnesses in its case in chief:

24	<u>NAME</u>	<u>ADDRESS</u>
25	AOKI, MINO	LVMPD #1592
26	BARKER, CHARLES	2933 ELM ST., #4 NORTH LAS VEGAS, NV
27	BEAUDETTE, FRANCIS	LVMPD #4361
28		

1	BROTHERSON, DEBORAH	LVMPD #4931
2	CARPENTER, J.	LVMPD #5003
3	COLEMAN, PEGGY	PAROLE & PROBATION
4	FAULIS, J.	LVMPD #4764
5	FORD, ALLEN	PAROLE & PROBATION
6	GOMEZ, HUMBERTO	2920 POPLAR, #1 LAS VEGAS, NV
7	GUENTHER, ED	LVMPD #5891
8	HEFNER, KEN	LVMPD #2185
9	HOLLIMON, SHELDON	CCDC
10	JUAREZ, ROBERTO	LVMPD #3831
11	KRYLO, JIM	LVMPD #5945
12	LEE, R. _	LVMPD #3290
13	LOVETT, JAMES	UNIVERSITY MEDICAL CENTER
14	MARIN, THOMAS	LVMPD #2894
15	MARTINEZ, AGUSTIN	2730 MARLIN #3 LAS VEGAS, NV
16	MARTINEZ, LEONARDO	2730 MARLIN, #3 LAS VEGAS, NV
17	MATTHEWS, C.	LVMPD #3665
18	MCNETT, MARK	LVMPD #3550
19	MENDENDEZ, WILFREDO	2937 ELM AVE., #3 LAS VEGAS, NV
20	MENDENDEZ, VERONICA	2937 ELM AVE., #3 LAS VEGAS, NV
21	MENDENDEZ, MARIO	2937 ELM AVE., #3 LAS VEGAS, NV
22	MORTON, LARRY	LVMPD #4935
23	MUNSON, GREG	LVMPD #5847
24	NEIL, KELLY	LVMPD #5410
25	NELLIS, B.	LVMPD #4429

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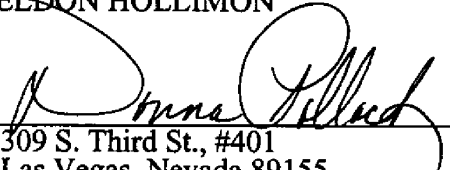
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RECEIPT OF COPY of the above and foregoing NOTICE OF EXPERT WITNESSES
is hereby acknowledged this 30th day of April, 2001.

STANLEY A. WALTON, ESQ.
ATTORNEY FOR DEFENDANT
DAMON LAMAR CAMPBELL

BY 
550 E. Charleston Blvd #E
Las Vegas, Nevada 89104

SPECIAL PUBLIC DEFENDER'S OFFICE
ATTORNEY FOR DEFENDANT
SHELDON HOLLIMON

BY 
309 S. Third St., #401
Las Vegas, Nevada 89155

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OPI
STEWART L. BELL
DISTRICT ATTORNEY
 Nevada Bar #000477
 200 S. Third Street
 Las Vegas, Nevada 89155
 (702) 455-4711
 Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

SHELDON HOLLIMON,
 ID#1203836

Defendant.

Case No. C170186
 Dept. No. XV

ORDER FOR PRODUCTION OF INMATE
SHELDON HOLLIMON

DATE OF HEARING: 10-24-01
 TIME OF HEARING: 8:30 A.M.

TO: SHERMAN HATCHER, Warden of the Southern Desert Correctional Center;

TO: JERRY KELLER, Sheriff of Clark County, Nevada

Upon the ex parte application of THE STATE OF NEVADA, Plaintiff, by STEWART L. BELL, District Attorney, through DAVID J.J. ROGER, Chief Deputy District Attorney, and good cause appearing therefor,

IT IS HEREBY ORDERED that SHERMAN HATCHER, Warden of the Southern Desert Correctional Center, shall be, and is, hereby directed to produce SHELDON HOLLIMON, Defendant in Case No. C170186, on a charge of Murder With Use of a Deadly Weapon, wherein THE STATE OF NEVADA is the Plaintiff, inasmuch as the said Defendant is currently incarcerated in the Southern Desert Correctional Center located in Indian Springs, Nevada and his presence will be required in Las Vegas, Nevada commencing on Wednesday, October 24,

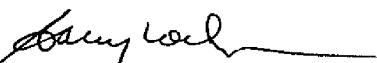
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1 2001, at the hour of 8:30 o'clock A.M. and continuing until completion of the prosecution's case
2 against the said Defendant.

3 IT IS FURTHER ORDERED that JERRY KELLER, Sheriff of Clark County, Nevada,
4 shall accept and retain custody of the said Defendant in the Clark County Detention Center, Las
5 Vegas, Nevada, pending completion of said matter in Clark County, or until the further Order
6 of this Court; or in the alternative shall make all arrangements for the transportation of the said
7 Defendant to and from the Nevada State Prison facility which are necessary to insure the
8 Defendant's appearance in Clark County pending completion of said matter, or until further
9 Order of this Court.

10 DATED this 10th day of May, 2001.

11
12 
13 DISTRICT JUDGE 18

14 STEWART L. BELL
15 DISTRICT ATTORNEY
16 Nevada Bar #000477

17 BY 
18 DAVID J. J. ROGER
19 Chief Deputy District Attorney
20 Nevada Bar #002781
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5/7/01 C170186

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FILED

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ORIGINAL *Sally B. Loehrer*
CLERK

TRAN

CASE NO. C170186

DEPT. NO. XV

DISTRICT COURT

CLARK COUNTY, NEVADA

-oOo-

THE STATE OF NEVADA,

Plaintiff,

vs.

SHELDON HOLLIMON,

Defendant.

REPORTER'S TRANSCRIPT

OF

TRIAL SETTING

BEFORE THE HON. SALLY LOEHRER, DISTRICT COURT JUDGE

MONDAY, MAY 7, 2001
8:30 A.M.

APPEARANCES:

For the State:

DAVID ROGER, ESQ.
Deputy District Attorney

For the Defendant:

ALZORA JACKSON, ESQ.
Special Deputy Public Defender

Reported by: Mary Beth Cook
CCR No. 268, RPR

LAS VEGAS, CLARK COUNTY, NEVADA, MON., MAY 7, 2001

CE31

MARY BETH COOK, CCR 268 (702) 455-4288

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COUNTY CLERK

1 8:30 A.M.

2 -oOo-

3 P R O C E E D I N G S

4
5 THE COURT: Hollimon. The record will
6 reflect the presence of the State through David
7 Roger. Mr. Walton representing Mr. Damon Lamar
8 Campbell, and, Mr. Schieck, who do you represent?

9 MR. SCHIECK: I also represent
10 Mr. Campbell, Your Honor.

11 THE COURT: Ms. Jackson representing
12 Sheldon Hollimon.

13 This is on today for the motion to set a
14 trial. Who's here?

15 MS. JACKSON: Mr. Hollimon was released
16 to go back to NSP, Your Honor.

17 THE COURT: Mr. Campbell is present in
18 custody and Mr. Hollimon is at the Nevada
19 Department of Prisons.

20 Counsel, have you looked at your books,
21 your trial calendars, and come up with a likely
22 date or dates?

23 MR. SCHIECK: Yes, Your Honor. I think
24 we're looking at the very last part of October,
25 first part of November.

1 THE COURT: All right. We are in
2 criminal status from October 8th through the week
3 of November 5th.

4 MR. SCHIECK: First part of November.
5 The only thing that would go over to the second
6 week would be a penalty hearing if we had to have
7 one.

8 THE COURT: I am not going to be in the
9 jurisdiction the last week of October. Do we get a
10 day off that week?

11 MR. SCHIECK: I think it's a Friday the
12 legislature passed Friday.

13 THE COURT: Is it always the last Friday
14 of October?

15 MR. WALTON: We were looking at an
16 earlier date in October, but that didn't fit.

17 THE COURT: You couldn't go the 21st of
18 October, Mr. Roger, that's too soon?

19 MR. ROGER: Yes, Your Honor, I think
20 so. I have two back-to-back murder trials in late
21 September.

22 THE COURT: If we started October 29th I
23 believe I'm only going to be here Monday and
24 Tuesday and I'm going to be gone Wednesday,
25 Thursday, Friday, et cetera so we could get started

1 on Monday and Tuesday, then we'd have to be in
2 recess again until November 5th which would be the
3 next Monday. But if we started you on November
4 5th, we go back to civil the following week,
5 November 12th, so if you went into penalty we would
6 be impinging on that, so I think the best thing we
7 should do then is start October 29th. We'll just
8 pick a jury that's available for the two-week
9 potentially more time period. Is that satisfactory
10 with everybody's schedule?

11 MR. SCHIECK: That's fine, Your Honor.

12 THE COURT: Knowing you're looking at
13 the -- there's a potential that I could be here on
14 the 31st, but I'm not sure so you're looking at two
15 weeks -- two days, the 29th and the 30th
16 realistically, and then dropping until November
17 5th. If you go the following week, you'd have to
18 go into overflow. The 12th is Veteran's Day. Then
19 let's set it for trial October 29th and calendar
20 call will be --

21 THE CLERK: October 24th at 8:30 a.m.

22 THE COURT: And we'll probably start at
23 10:30 on the 29th. Have you got all your pretrial
24 motions filed on this case?

25 MR. SCHIECK: No, Your Honor, but they

1 will be shortly.

2 THE COURT: The cutoff for hearing
3 pretrial motions will be -- they have to be heard
4 not later than October 10th, and I'm not signing
5 any order shortening time. They've got to be heard
6 not later than October 10th, so you've got to file
7 them before that. Thank you.

8 -oOo-

9 ATTEST: FULL, TRUE AND ACCURATE TRANSCRIPT.

10

Mary Beth Cook
Mary Beth Cook, CCR No. 268, RPR

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MARY BETH COOK, CCR 268 (702)455-4288

1 0001
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

8 THE STATE OF NEVADA,

9 Plaintiff,

10 -vs-

11 DAMON LAMAR CAMPBELL,
12 #1196647

13 Defendant.
14

FILED
SEP 14 9 44 AM '01
Shirley B. Purgina
CLERK

C170186

Case No. C169550
Dept. No. XV
Docket U

15
16 RE-NOTICE OF MOTION AND MOTION TO ADMIT
17 EVIDENCE OF OTHER CRIMES

18 DATE OF HEARING: 10-1-01
19 TIME OF HEARING: 8:30 A.M.

20 COMES NOW, the State of Nevada, by STEWART L. BELL, District Attorney, through
21 DAVID J.J. ROGER, Chief Deputy District Attorney, and files this Re-Notice of Motion and
22 Motion to Admit Evidence of Other Crimes (attached).

23 This Motion is made and based upon all the papers and pleadings on file herein, the
24 attached points and authorities in support hereof, and oral argument at the time of hearing, if
25 deemed necessary by this Honorable Court.

26 ///

27 ///

///

COUNTY CLERK

SEP 14 2001

RECEIVED

101

1 **RE-NOTICE OF HEARING**

2 YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the undersigned will
3 bring the foregoing motion on for setting before the above entitled Court, in Department XV
4 thereof, on Monday, the 1st day of October, 2001, at the hour of 8:30 o'clock a.m., or as soon
5 thereafter as counsel may be heard.

6 DATED this 30th day of September, 2001.

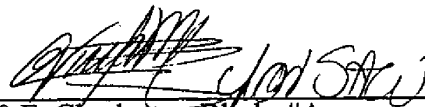
7 STEWART L. BELL
8 DISTRICT ATTORNEY
9 Nevada Bar #000477

10 BY 
11 DAVID J.J. ROGER
12 Chief Deputy District Attorney
13 Nevada Bar #002781
14

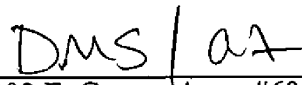
15 **RECEIPT OF COPY**

16 RECEIPT OF COPY of the above and foregoing RE-NOTICE OF MOTION AND
17 MOTION TO ADMIT EVIDENCE OF OTHER CRIMES is hereby acknowledged this 13th
18 day of September, 2001.

19 STANLEY A. WALTON, ESQ.
20 ATTORNEY FOR DEFENDANT

21 BY 
22 550 E. Charleston Blvd., #A
23 Las Vegas, Nevada 89101

24 DAVID M. SCHIECK, ESQ.

25 BY 
26 302 E. Carson Ave., #600
27 Las Vegas, Nevada 89101
28

FILED

APR 30 3 29 PM '01

Shirley C. Longoria
CLERK

0001
STEWART L. BELL
DISTRICT ATTORNEY
Nevada Bar #000477
200 S. Third Street
Las Vegas, Nevada 89155
(702) 455-4711
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

DAMON LAMAR CAMPBELL,
#1196647

Defendant.

Case No. C169550
Dept. No. XV
Docket U

C170186

NOTICE OF MOTION AND MOTION TO ADMIT

EVIDENCE OF OTHER CRIMES

DATE OF HEARING: 5-16-01
TIME OF HEARING: 8:30 A.M.

COMES NOW, the State of Nevada, by STEWART L. BELL, District Attorney, through DAVID J.J. ROGER, Chief Deputy District Attorney, and files this Notice of Motion and Motion to Admit Evidence of Other Crimes.

This Motion is made and based upon all the papers and pleadings on file herein, the attached points and authorities in support hereof, and oral argument at the time of hearing, if deemed necessary by this Honorable Court.

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MCI

1 A short time later, police arrived at the scene. Upon learning that the Defendant entered
2 the apartment, police went to speak with the occupants of the apartment. The occupants did not
3 answer the door. As a result, police obtained a key to the apartment and entered. Defendant,
4 Holliman and two females were removed from the apartment. A search warrant was obtained
5 to search the apartment. Officers found the murder weapon and a shotgun.

6 Defendant spoke with Detectives at the scene. Although he acknowledged shooting at
7 the victims, allegedly in self defense, Defendant denied shooting rounds through the bathroom
8 window. However, there were an excessive number of expended cartridges found at the scene.
9 As a result, it was clear to detectives that Defendant reloaded the murder weapon. Also, some
10 of the witnesses within the apartment reported hearing more shots after Defendant entered the
11 apartment.

12 The State seeks to introduce evidence that on April 10, 2000, Defendant reported his
13 vehicle was stolēn. Defendant explained that his car was parked in the lot located at 2933 Elm
14 Ave. At approximately 12:24 a.m., Defendant saw his car's break lights illuminate. As he
15 looked outside, Defendant observed a person enter his car. According to Defendant, he retrieved
16 his .22 caliber rifle and fired four (4) rounds through his bathroom window at the person fleeing
17 in Defendant's car.

18 POINTS AND AUTHORITIES

19 I

20 EVIDENCE OF DEFENDANT'S PRIOR SHOOTING IS ADMISSIBLE TO 21 ESTABLISH IDENTITY AND COMMON SCHEME OR PLAN.

22 The decision to admit or exclude evidence, lies within the discretion of the court. Such
23 a decision will not be reversed absent manifest error. *Kazalyn v. State*, 108 Nev. 67, 825 P.2d
24 578 (1992); *Halbower v. State*, 93 Nev. 212, 562 P.2d 485 (1977).

25 In *Petrocelli v. State*, 101 Nev. 46, 692 P.2d 503 (1985), Petrocelli was charged with
26 shooting a car salesman in the head with a .22 caliber handgun. Petrocelli claimed that the
27 shooting was done during an argument with the car dealer and that it was an accident. The trial
28 court allowed evidence that Petrocelli had previously become embroiled in an argument with a

1 female. He drug her out of her place of employment and shot and killed her with a .22 caliber
2 handgun. The Nevada Supreme Court upheld the trial court's decision to allow such evidence
3 to establish the absence of mistake or accident.

4 Similarly, in *Gallego v. State*, 101 Nev. 782, 711 P.2d 856 (1985), Gallego was charged
5 with killing two young females with a hammer. The two women were kidnapped by Gallegos
6 and his wife and transported to their fatal destination as part of the Gallego's "sex slave "
7 fantasy. The trial court allowed evidence that Gallegos had previously kidnapped two young
8 women from a shopping mall and thereafter shot and killed them. The high court affirmed the
9 lower court's ruling and allowed such evidence for the purposes of establishing common plan,
10 intent, identity and motive. *Id.* 101 Nev. at 788.

11 Likewise, in *Reed v. State*, 95 Nev. 190, 591 P.2d 274 (1979) the defendant was charged
12 with burglary. The victim testified that she was in her motel room when she heard the window
13 open. She saw a hand reach in and turn the doorknob. Thereafter, two men entered the room
14 and took her purse and a cup of change. The victim testified that she thought that the defendant
15 was the man who stood at the door. A palmprint and a fingerprint from the point of entry
16 matched the defendant. The State was permitted to introduce evidence of two other motel
17 burglaries where the defendant's fingerprints were recovered. Also, one victim also identified
18 the defendant as committing one of the burglaries.

19 In upholding the ruling of the trial court admitting the evidence of other crimes, the
20 Nevada Supreme Court held that the evidence was properly admitted to establish the identity of
21 the person who burglarized the motel room.

22 In *Canada v. State*, 104 Nev. 288, 293, 756 P.2d 555 (1988), the court allowed evidence
23 of a separate bar robbery to establish the identity of the perpetrators. In response to Canada's
24 argument that the eye witness identification was weak in the case in which he was being tried
25 and, therefore, the evidence was more prejudicial than probative. The Nevada Supreme Court
26 in upholding the trial court's decision to allow such evidence stated:

27 We conclude that the difficulty in identifying the
28 perpetrators coupled with the high degree of
similarity between the crimes makes the evidence

1 of the other robbery more probative than
2 prejudicial.

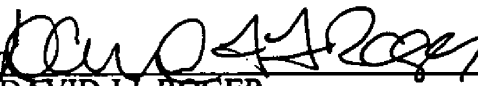
3 Id.

4 Federal courts also admit such evidence to establish identity. See, *U.S. v. Two Eagle*, 633
5 F.2d 93 (8th Cir. 1980), (where issue was the identity of the person who assaulted the victim and
6 drove off in his car, evidence that the defendant was seen in possession of the car was admissible
7 to prove identity); (*United States v. Hamilton*, 684 F.2d 380 (6th Cir. 1982), (in prosecution for
8 passing a one dollar bill with the corners of a twenty bill pasted on it, evidence that defendant
9 had previously pasted a two dollar bill altered in the same way was admissible to show
10 defendant's identity).

11 In the instant case, evidence of Defendant's prior shooting at individuals is admissible
12 to establish identity and common scheme or plan. On both occasions, Defendant was agitated
13 at his intended victims. Both shootings originated from the bathroom window of Defendant's
14 apartment. Based upon the foregoing, the instant motion should be granted.

15 DATED this 30th day of April, 2001.

16 STEWART L. BELL
17 DISTRICT ATTORNEY
Nevada Bar #000477

18
19 BY 

20 DAVID J.J. ROGER
21 Chief Deputy District Attorney
22 Nevada Bar #002781
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RECEIPT OF COPY

RECEIPT OF COPY of the above and foregoing NOTICE OF MOTION AND MOTION
TO ADMIT EVIDENCE OF OTHER CRIMES is hereby acknowledged this 30th day of
April, 2001.

STANLEY A. WALTON, ESQ.
ATTORNEY FOR DEFENDANT

BY Carolina Zuhayr
550 E. Charleston Blvd., #A
Las Vegas, Nevada 89101

FILED

SEP 14 2 00 PM '01

1 TRAN
2 CASE NO. C170186
3 DEPT. NO. XV

ORIGINAL *Sally B. Loehrer*
CLERK

DISTRICT COURT
CLARK COUNTY, NEVADA

-oOo-

9 THE STATE OF NEVADA,)
10 Plaintiff,) REPORTER'S TRANSCRIPT
11 vs.) OF
12 SHELDON HOLLIMON,) PROCEEDINGS
13 Defendant.)
14

16 BEFORE THE HON. SALLY LOEHRER, DISTRICT COURT JUDGE

17 MONDAY, SEPTEMBER 10, 2001
18 8:30 A.M.

19 APPEARANCES:

20 For the State: BART PACE, ESQ.
Deputy District Attorney
21 For the Defendant: ALZORA JACKSON, ESQ.
Deputy Special Public Defender

24 Reported by: Mary Beth Cook
25 CCR No. 268, RPR

RECEIVED
SEP 14 2001
COUNTY CLERK

MARY BETH COOK, CCR 268 (702)455-4288

364

1 LAS VEGAS, CLARK COUNTY, NEVADA, MON., SEPT. 10, 2001

2 8:30 A.M.

3 -oOo-

4 P R O C E E D I N G S

5

6 THE COURT: Mr. Campbell, your attorneys
7 have filed numerous motions on your behalf, but
8 we're not going to hear them today. We're going to
9 hear them on October 1st.

10 -oOo-

11 ATTEST: FULL, TRUE AND ACCURATE TRANSCRIPT.

12

13

Mary Beth Cook
Mary Beth Cook, CCR No. 268, RPR

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MARY BETH COOK, CCR 268 (702)455-4288

1 NOT
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

FILED
27 SEP 17 PM 10:36

Angela P. Higgins
CLERK

DISTRICT COURT
CLARK COUNTY, NEVADA

7 THE STATE OF NEVADA,

8 Plaintiff,

9 -vs-

10 DAMON LAMAR CAMPBELL,
11 #1196647
12 SHELDON HOLLIMON,
13 #1203836

14 Defendants.

Case No. C169550/C170186
Dept. No. XV

15 SUPPLEMENTAL
16 NOTICE OF EXPERT WITNESSES
17 [NRS 174.234 (2)]

18 TO: DAMON LAMAR CAMPBELL and SHELDON HOLLIMON,
19 Defendants; and

20 TO: STANLEY A. WALTON, ESQ., DAVID M. SCHIECK, ESQ., and
21 SPECIAL PUBLIC DEFENDER'S OFFICE

22 Counsels of Record:

23 YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the STATE OF
24 NEVADA intends to call expert witnesses in its case in chief as follows:

25 AOKI, MINO: A Crime Scene Analyst with the Las Vegas Metropolitan Police
26 Department. He is an expert in the area of crime scene analysis and will give opinions related
27 thereto. He is expected to testify regarding the identity of controlled substances in biological
28 fluids.

1 **BEAUDETTE, FRANCIS**: A Crime Scene Analyst with the Las Vegas Metropolitan
2 Police Department. She is an expert in the area of crime scene analysis and will give opinions
3 related thereto. She is expected to testify regarding the presence and amount of alcohol in
4 biological fluids.

5 **GUENTHER, ED**: A Criminalist with the Las Vegas Metropolitan Police Department.
6 He is an expert in the area of latent print examination and comparison and will give scientific
7 opinions related thereto. He will testify regarding the various latent print comparisons he
8 performed in this case.

9 **KRYLO, JIM**: A Firearm/Toolmark Examiner with the Las Vegas Metropolitan Police
10 Department. He is an expert in the area of firearm and toolmark analysis and will give opinions
11 related thereto. He is expected to testify regarding the firearms and bullet trajectory comparison
12 of certain evidence collected from the various crime scenes.

13 **LOVETT, JAMES**: UNIVERSITY MEDICAL CENTER - A medical doctor with the
14 University Medical Center. He is an expert in the area of emergency medicine and will give
15 scientific opinions related thereto. He is expected to testify regarding the injuries sustained by
16 the victim.

17 **MORTON, LARRY**: A Crime Scene Analyst with the Las Vegas Metropolitan Police
18 Department. He is an expert in the area of crime scene analysis and will give opinions related
19 thereto. He is expected to testify regarding the processing of the various crime scenes in this
20 case, as well as the collection and preservation of evidence.

21 **PULLIAM, FRANCIS**: A Crime Scene Analyst with the Las Vegas Metropolitan Police
22 Department. He is an expert in the area of crime scene analysis and will give opinions related
23 thereto. He is expected to testify regarding the processing of the various crime scenes in this
24 case, as well as the collection and preservation of evidence.

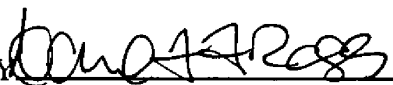
25 **TELGENHOFF, GARY**: A medical doctor employed by the Clark County Coroner
26 Medical Examiner. He is an expert in the area of forensic pathology and will give scientific
27 opinions related thereto. He is expected to testify regarding the cause and manner of death of
28 Alberto Martinez.

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The substance of each expert witness' testimony and a copy of all reports made by or at the direction of the expert witness has been provided in discovery.

A copy of each expert witness' curriculum vitae, if available, is attached hereto.

STEWART L. BELL
DISTRICT ATTORNEY
Nevada Bar #000477

BY 
DAVID J.J. ROGER
Chief Deputy District Attorney
Nevada Bar #002781

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT
FORENSIC LABORATORY
STATEMENT OF QUALIFICATIONS**

Date: 10-14-99

Name: Minoru Aoki

P#: 1592

Classification: Criminalist II

Current Discipline of Assignment: Toxicology / Blood Alcohol

EXPERIENCE IN THE FOLLOWING DISCIPLINE(S)			
Controlled Substances	X	Blood Alcohol	X
Toolmarks		Breath Alcohol	X
Trace Evidence	X	Arson Analysis	X
Toxicology	X	Firearms	
Latent Prints		Crime Scene Investigations	
Serology	X	Clandestine Laboratory Response Team	X
Document Examination		DNA Analysis	
EDUCATION			
<i>Institution</i>	<i>Dates Attended</i>	<i>Major</i>	<i>Degree Completed</i>
Weber State College	6/69 to 6/74	Chemistry	BA
ADDITIONAL TRAINING / SEMINARS			
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>	
A.T.F. / Post-Blast Bomb Investigating	Las Vegas	8/82	
McCrone Institute / Forensic Microscopy	Huntington Beach, CA	11/85	
FBI / A.A. for Primer Residues	Quantico, VA	9/86	
Hewlett Packard / Operator Training for GC/MSD	Paramus, NJ	9/88	
Hewlett Packard / Macro Programming	Paramus, NJ	10/88	
Becton Dickinson / Master Trainer	Las Vegas	1/90	
D.E.A. / Clandestine Laboratory	Las Vegas	2/90	
FBI / Explosive Residue	Quantico, VA	9/91	
D.E.A. / Drug Seminar	McLean, VA	11/92	
CCI / Basic Toxicology	Sacramento, CA	6/94	
(CAC) California Association of Criminalists	Pasadena, CA	5/81	

MINORU AOKI
Curriculum Vitae
LVMPD P#1592
- 1

CAC / (NWAFS) Northwest Association of Forensic Scientists	Reno, NV	11/81
CAC	Newport Beach, CA	5/82
CAC	Sacramento, CA	11/82
NWAFS / (SWAFS) Southwest Association of Forensic Scientists	Denver, CO	5/85
CAC	Los Angeles, CA	11/85
CAC	Concord, CA	5/86
CAC	Palm Springs, CA	11/86
CAC / NWAFS	Reno, NV	5/87
Clandestine Lab Investigator Association	Salt Lake City, UT	8/89
NWAFS	Seattle, WA	11/90
(CLIC) Clandestine Lab Investigating Chemists	San Diego, CA	9/91
Clandestine Lab Investigator Association	Salt Lake City, UT	9/92
NWAFS	Vancouver, B.C.	11/94
CAC	San Pedro, CA	11/95
Intoxilyzer 5000 Users Group	Reno, NV	8/96
NWAFS	Las Vegas, NV	11/97
International Association for Chemical Testing (IACT)	Las Vegas, NV	4/98
CAC	San Diego, CA	10/98
Testifying In Court	Las Vegas, NV	2/99
STC Applications Training	Las Vegas, NV	5/99
Clandestine Lab Safety Certification Program	Las Vegas, NV	5/99
Laboratory Auditing	Las Vegas, NV	6/99

COURTROOM EXPERIENCE

<i>Court</i>	<i>Discipline</i>	<i>Number of Times</i>
Clark County District	Controlled Substance / Toxicology / Trace / Serology / Blood Alcohol	> 100
Nye County District	Controlled Substance	3
Lincoln County District	Trace	1
Federal District	Controlled Substance / Blood Alcohol	4
Clark County Justice	Controlled Substance / Toxicology / Serology, Arson, Blood Alcohol, Breath Alcohol, Trace	>100
Nye County Justice	Controlled Substance / Toxicology	1

MINORU AOKI
Curriculum Vitae
LVMPD P#1592

- 2

Esmeralda County Justice	Controlled Substance	1
Lincoln County Justice	Controlled Substance	2
Nellis AFB Adjutant General's Office	Controlled Substance	2
Taxicab Authority	Controlled Substance	3
Las Vegas Municipal	Controlled Substance / Blood Alcohol, Breath Alcohol	>25
Henderson Municipal	Controlled Substance / Blood Alcohol / Breath Alcohol	>10
Nevada State Board of Pharmacy	Controlled Substance	1

EMPLOYMENT HISTORY

<i>Employer</i>	<i>Job Title</i>	<i>Date</i>
Weber State College Crime Lab	Lab Technician	6/77 - 9/77
U.S.G.S. (WRD)	Chemist	11/77 - 6/78
Las Vegas Metropolitan Police Department	Criminalist II	6/78 - present

PROFESSIONAL AFFILIATIONS

<i>Organization</i>	<i>Date(s)</i>
American Chemical Society	5/78 - present
California Association of Criminalists (CAC)	5/81 - present
Northwest Association of Forensic Scientists (NWAFS)	9/85 - present
Clandestine Lab Investigating Chemists (CLIC)	9/91 - present

PUBLICATIONS / PRESENTATIONS:

--

OTHER QUALIFICATIONS:

--

MINORU AOKI
Curriculum Vitae
LVMPD P#1592
- 3

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT
FORENSIC LABORATORY
STATEMENT OF QUALIFICATIONS**

Date: 3-20-00

Name: Frances E. Beaudette

P#: 4361

Classification: Criminalist II

Current Discipline of Assignment: Controlled Substances

EXPERIENCE IN THE FOLLOWING DISCIPLINE(S)			
Controlled Substances	X	Blood Alcohol	X
Toolmarks		Breath Alcohol	
Trace Evidence		Arson Analysis	
Toxicology		Firearms	
Latent Prints		Crime Scene Investigations	
Serology		Clandestine Laboratory Response Team	
Document Examination		DNA Analysis	
EDUCATION			
<i>Institution</i>	<i>Dates Attended</i>	<i>Major</i>	<i>Degree Completed</i>
University of Nevada, Las Vegas	8/98 - 5/99	Non-degree	N/A
University of Illinois	9/75 - 6/76, 1/78	Molecular Biology	
Holy Cross Hospital School of Medical Technology	7/76 - 7/77	Medical Technology	Diploma
University of Illinois	9/71 - 6/75	Biological Sciences	BS
ADDITIONAL TRAINING / SEMINARS			
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>	
Forensic Chemistry and Toxicology	Associated Pathologist Laboratory of Las Vegas	Fall 1990	
Controlled Substances - Analysis	LVMPD - OJT	4/92 - 6/92	
Blood Alcohol Analysis	LVMPD - OJT	11/92 - 12/92	

FRANCES E. BEAUDETTE
Curriculum Vitae
LVMPD P#4361

- 1 -

ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
Chromatographic Methods in Forensic Sciences	FBI Academy, Quantico, VA	8/93
Forensic Chemist Seminar	DEA, McLean, VA	9/93
GC-MS (DOS) Data Analysis / Reporting	Hewlett-Packard, San Diego, CA	12/95
Immuno Assay Techniques	Colorado Assn. for Continuing Medical Laboratory Education	Fall 1994
Introduction to Therapeutic Drug Monitoring	Colorado Assn. for Continuing Medical Laboratory Education	Spring 1995
Testing for Drugs of Abuse	Colorado Assn. for Continuing Medical Laboratory Education	Spring 1996
New Civilian Orientation	LVMPD - Training Bureau	6/92
Personal Financial Planning	LVMPD - Training Bureau	10/92
Personal Protection and Self Defense	LVMPD - Training Bureau	3/93
Introduction to Lotus 1-2-3	Clark County	10/93
Drivers Training	LVMPD - Training Bureau	3/94
Building a Powerful Memory	LVMPD - Training Bureau	1/95
Nutrition	LVMPD - Training Bureau	5/95
How to Handle Negativity in the Workplace	LVMPD - Training Bureau	7/95
ASCLD Accreditation Workshop	Denver, CO	10/95
Thinking Outside the Box	LVMPD - Training Bureau	1/96
ODV Narcotics Identification	LVMPD - Training Bureau	8/96
Wall Street Basics	LVMPD - Training Bureau	9/96
Justice Trax	LVMPD - Training Bureau	12/96
Ace Computer System	LVMPD - Evidence Vault	12/96
Leadership 7 Supervisory Skills	Las Vegas, NV	2/97
Financial Planning for Women	LVMPD - Training Bureau	5/97
Introduction to Medical Ethics	Colorado Assn. For Continuing Medical Laboratory Education	Summer 1997
Interpersonal Communication	Self-Study	9/97
MAFS meetings	DeMoines, Iowa	10/97
Interpretation of Mass Spectra	MAFS Workshop and Hewlett Packard Workshop	10/97 and 11/97
NWAFS/SWAFS/CAT/SAT meetings	Las Vegas, NV	11/97
Molecular Medicine	Colorado Association for Continuing Medical Laboratory Education	1998 - Winter
Meetings of the American Academy of Forensic Sciences	San Francisco, CA	2/98
Human Genetics	UNLV	1998 - Fall

FRANCES E. BEAUDETTE
Curriculum Vitae
LVMPD P#4361

- 2 -

ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
Analysis of Botanical Drugs - MAFS Workshop	Ann Arbor, MI	10/98
Steroid Analysis - MAFS Workshop	Ann Arbor, MI	10/98
Meetings of the Midwestern Association of Forensic Scientists - MAFS	Ann Arbor, MI	10/98
Adrenal and Pituitary Function	Colorado Association for Continuing Medical Laboratory Education	1999 - Winter
Statistics for Scientists	UNLV	1999 - Spring
Blood Alcohol Analysis	LVMPD - OJT	7/99
Performance Appraisals for Civilian Employees	LVMPD - Training Bureau	8/99
Arson Accelerant Detection	Sacramento, CA	10/99
Meetings of the Midwestern Association of Forensic Scientists - MAFS	Cape Girardeau, MO	10/99
Mitochondrial DNA & STR Interpretation	Cape Girardeau, MO	10/99
General Capillary Electrophoresis Theory and Instrumentation	Cape Girardeau, MO	10/99
Capillary electrophoresis Applications and Techniques in Forensic Drug Analysis	Cape Girardeau, MO	10/99
COURTROOM EXPERIENCE		
<i>Court</i>	<i>Discipline</i>	<i>Number of Times</i>
U.S. District Court - Nevada	Controlled Substances	4
U.S. District Court - Nebraska	Controlled Substances	1
Nevada District Court, 8th District	Controlled Substances	23
Nevada District Court, 5th District	Controlled Substances	4
Nevada District Court, Juvenile Div	Controlled Substances	3
Grand Jury	Controlled Substances	2
Justice Court, Las Vegas	Controlled Substances	24
Justice Court, Tonopah	Controlled Substances	2
Justice Court, Beatty	Controlled Substances	3
Justice Court, Henderson	Controlled Substances	2
Justice Court, Pahrump	Controlled Substances	3
Justice Court, Goldfield	Controlled Substances	1
Nevada District Court, 8th District	Blood Alcohol	2
Justice Court, Las Vegas	Blood Alcohol	0
Municipal Court, Las Vegas	Blood Alcohol	5

FRANCES E. BEAUDETTE
Curriculum Vitae
LVMPD P#4361

- 3 -

COURTROOM EXPERIENCE		
<i>Court</i>	<i>Discipline</i>	<i>Number of Times</i>
Municipal Court, Henderson	Blood Alcohol	1
Dept. Motor Vehicles, Las Vegas	Blood Alcohol	25

EMPLOYMENT HISTORY		
<i>Employer</i>	<i>Job Title</i>	<i>Date</i>
LVMPD Forensic Laboratory, Las Vegas, NV	Criminalist II	4/92 - Present
Associated Pathologist Laboratory, Las Vegas, NV	Supv. Technologist	4/89 - 3/92
State of Nevada, Public Health Laboratory	Microbiologist Supervisor	1/87 - 4/89
Rush Presbyterian St. Luke's Medical Center; Chicago, IL	Supv. Technologist	7/77 - 11/86
Holy Cross Hospital; Chicago, IL	Phlebotomist / Lab Technician	8/76 - 7/77

PROFESSIONAL AFFILIATIONS	
<i>Organization</i>	<i>Date(s)</i>
Midwestern Association of Forensic Scientists	10/92
TWGDDrug / QA	2/98 - 11/99

PUBLICATIONS / PRESENTATIONS:
Presumptive Identification of Methamphetamine using ODV Narco Pouch 7 Field Test Reagents, October 1997 - CAT/NWAFS/SWAFS/SAT meetings

OTHER QUALIFICATIONS:
Professional Licenses
American Society of Clinical Pathologists, Registry #MT118248 8/77
State of Nevada Clinical Laboratory Technologist #003738 12/86

FRANCES E. BEAUDETTE
Curriculum Vitae
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**LAS VEGAS METROPOLITAN POLICE DEPARTMENT
FORENSIC LABORATORY
STATEMENT OF QUALIFICATIONS**

Date: 10-14-99

Name: Edward S. Guenther P#: 5891 Classification: Latent Print Examiner II

Current Discipline of Assignment: Latent Print Detail

EXPERIENCE IN THE FOLLOWING DISCIPLINE(S)			
Controlled Substances		Blood Alcohol	
Toolmarks		Breath Alcohol	
Trace Evidence		Arson Analysis	
Toxicology		Firearms	
Latent Prints / Shoe Track Analysis	X	Crime Scene Investigations	X
Serology		Clandestine Laboratory Response Team	
Document Examination		DNA Analysis	

EDUCATION			
<i>Institution</i>	<i>Dates Attended</i>	<i>Major</i>	<i>Degree Completed</i>
University of South Florida	9/82 - 12/84	Criminal Justice	BA
Ohio University	9/77 - 12/79	Criminal Justice	
University of Akron	9/73 - 6/75	Biology	

ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
Fingerprint Technician School	FBI - Washington, D.C.	9/75 thru 11/75
Footwear Identification	Tallahassee, FL	10/81
Identification Photography	Quantico, VA	4/83
Latent Fingerprint Analyst Seminar	Tallahassee, FL	11/83
Bloodstain Evidence Workshop	Tallahassee, FL	3/85
Forensic Footwear and Tire Track Seminar	Tallahassee, FL	3/86
Forensic Archeology and Anthropology Seminar	Tallahassee, FL	2/87
Police Arson School	Quantico, VA	4/88
Forensic Identification of Shoe & Tire Prints	Tallahassee, FL	4/88

EDWARD S. GUENTHER
LVMPD P#5891
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ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
Collection and Preservation of Physical Evidence	Quantico, VA	3/89
Advanced Techniques in Crime Scene Seminar	Tallahassee, FL	3/90
Advanced Latent Fingerprint Examiners Seminar	Tampa, FL	9/90
Demystifying Palm Prints	Tampa, FL	1/92
AFIS Training Seminar	Tampa, FL	12/92
Identification of Vehicles Through Tire Tracks	Tallahassee, FL	5/93
Latent Print Development Techniques	Tallahassee, FL	11/95
Tire Tracks as Evidence	Panama City, FL	10/96
<u>Meetings</u>		
International Association of Identification	Orlando, FL	8/83
International Association of Identification	Savannah, GA	7/85
FDIAI Conference	Stuart, FL	10/87
FDIAI Conference	Tallahassee, FL	10/91
FDIAI Conference	Tampa, FL	10/95
FDIAI Conference	Panama City, FL	10/96
FDIAI Conference	Palm Beach, FL	10/97
1998 Printrak Users Conference	Anaheim, CA	9/98
COURTROOM EXPERIENCE		
<i>Court</i>	<i>Discipline</i>	<i>Number of Times</i>
State Courts of Florida, Ohio & Nevada	Latent Prints	>100
Federal Courts of Florida	Latent Prints	3 to 5
State Courts of Florida	Shoe Tracks	> 50
State Courts of Florida	Crime Scene Analysis	Approx. 30
EMPLOYMENT HISTORY		
<i>Employer</i>	<i>Job Title</i>	<i>Date</i>
Las Vegas Metropolitan Police Dept.	Latent Print Examiner	5/98 - current
Florida Department of Law Enforcement	Senior Crime Lab Analyst - Latents	3/80 - 5/98
Ohio Bureau of Criminal Identification and Investigation	Latent Print Examiner	2/77 - 3/80
Federal Bureau of Investigation	Fingerprint Technician	6/75 - 11/76

EDWARD S. GUENTHER
LVMPD P#5891
Curriculum Vitae

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PROFESSIONAL AFFILIATIONS	
<i>Organization</i>	<i>Date(s)</i>
Active member of the International Association for Identification	Current
Active member of the Florida Division of the International Association for Identification	1986 - 1998
PUBLICATIONS / PRESENTATIONS	
OTHER QUALIFICATIONS	
Certified Latent Print Examiner by the International Association for Identification	

EDWARD S. GUENTHER
 LVMPD P#5891
 Curriculum Vitae
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**LAS VEGAS METROPOLITAN POLICE DEPARTMENT
FORENSIC LABORATORY
STATEMENT OF QUALIFICATIONS**

Date: 5/4/99

Name: James Krylo P#: 5945 Classification: Firearm / Toolmark Examiner

Current Discipline of Assignment: Firearm / Toolmarks

EXPERIENCE IN THE FOLLOWING DISCIPLINE(S)			
Controlled Substances		Blood Alcohol	
Toolmarks	X	Breath Alcohol	
Trace Evidence		Arson Analysis	
Toxicology		Firearms	X
Latent Prints	X	Crime Scene Investigations	X
Serology		Clandestine Laboratory Response Team	
Document Examination		DNA Analysis	
EDUCATION			
<i>Institution</i>	<i>Dates Attended</i>	<i>Major</i>	<i>Degree Completed</i>
California State University, Long Beach	9/76 – 12/80	Criminalistics	B.S.
ADDITIONAL TRAINING / SEMINARS			
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>	
Association of Firearm and Toolmark Examiners Training Seminar	San Mateo, CA	1983	
Washington State Criminal Justice Training Center / FBI Fingerprint Identification	Seattle, WA	1984	
International Association of Bloodstain Pattern Analysts Training Seminar	Olympia, WA	1985	
Loctite Corp. Cyanoacrylate Fuming for Latent Fingerprint Techniques		1985	

JAMES KRYLO
LVMPD P#5945
Curriculum Vitae

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ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
Washington State Criminal Justice Training Center / FBI Advanced Latent Fingerprint Techniques	Seattle, WA	1986
Washington State Patrol Leaf Marijuana Identification	Shelton, WA	1987
Assoc. of Firearm and Toolmark Examiners Seminar	Seattle, WA	1988
International Association for Identification Pacific Northwest Division Training Seminar	Spokane, WA	1989
Kodak/Nikon Law Enforcement Photography	Tacoma, WA	1989
Washington State Criminal Justice Training Center Homicide Investigation	Seattle, WA	1989
International Assoc. of Bloodstain Pattern Analysts Training Seminar	Reno, NV	1990
International Association for Identification Pacific Northwest Division Training Seminar	Yakima, WA	1990
Midwestern Association of Forensic Scientists Blood Spatter Workshop		1990
Washoe Co. Sheriff's Office Advanced Crime Scene Reconstruction	Reno, NV	1991
Beretta Armorer's Course	Tacoma, WA	1992
Oregon State Police Advanced Firearms Training	OR	1992
Smith & Wesson Revolver Armorer's course	Galt, CA	1992
Washington State Law Enforcement Firearms Instructors Assoc. Training Seminar	Seattle, WA	1992
Assoc. of Firearm And Toolmark Examiners Annual Training Seminar	Raleigh, NC	1993
Ruger Armorer's course	Tacoma, WA	1993
Ruger Revolver Familiarization course	Raleigh, NC	1993
SigSauer Pistols Armorer's course	Raleigh, NC	1993
Smith & Wesson Pistol Armorer's course	Bellevue, WA	1993
Washington State Criminal Justice Training Center/Washington State Law Enforcement Firearms Instructors Association Training Seminar	Seattle, WA	1993
Glock Armorer's Course	Oregon City, OR	1994
Range Management Services Inc. Managing Lead Hazards in Indoor Firing	Olympia, WA	1994
Washington State Law Enforcement Firearms Instructors Assoc. Training Seminar	Seattle, WA	1994
Colt M16 / AR15 Armorer's course	OR	1995
Federal Cartridge Co. Law Enforcement Ammunition and Ballistics Seminar	Tacoma, WA	1995
Washington State Criminal Justice Training Center / Washington	Seattle, WA	1995

JAMES KRYLO
LVMPD P#5945
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ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
State Law Enforcement Firearms Instructors Assoc. Training Seminar		
Washington State Law Enforcement Firearms Instructors Association Training Seminar	Seattle, WA	1995
Heckler & Koch MP5/Rifle Armorer's Course	Tacoma, WA	1996
Oehler Ballistics Workshop	Fredricksberg, TX	1996
FBI Gunshot Residue School	Marysville, WA	1997
Forensic Technology "IBIS" Training Course	Tacoma, WA	1997
International Association of Bloodstain Pattern Analysts Training Seminar	Seattle, WA	1997
Mnemonic Systems Inc. Introduction to "Drugfire" Course	Washington, DC	1997
Remington Armorer's course	Bellevue, WA	1997
FBI Bullet Trajectory and Shooting Reconstruction School	Los Angeles, CA	1998
Washington State Criminal Justice Training Center / Washington State Law Enforcement Firearms Instructors Association Training Seminar	Seattle, WA	1998
NV State Division for the International Association for Identification Conference	Las Vegas, NV	04/99
COURTROOM EXPERIENCE		
<i>Court</i>	<i>Discipline</i>	<i>Number of Times</i>
Federal - Washington (Tacoma)	Latent Prints	1
Municipal - California (Orange County)	Latent Prints	5
Superior - California (Orange County)	Latent Prints	2
Superior - Washington (King & Pierce Counties)	Latent Prints	11
Coroner's Inquest - Washington (King County)	Firearms	4
District - Washington (Pacific County)	Firearms	1
Grand Jury - California (Orange County)	Firearms	1
Grand Jury - Federal (Seattle, WA)	Firearms	1
Justice - Nevada (Las Vegas)	Firearms	1
Juvenile - California (Orange County)	Firearms	1
Juvenile - Washington (Pierce and King Counties)	Firearms	4
Military - USMC (El Toro, CA)	Firearms	1
Superior - California (Orange County)	Firearms	11
Superior - Washington (Clallam, Clark, Cowlitz, Grays Harbor,	Firearms	105

JAMES KRYLO
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COURTROOM EXPERIENCE		
<i>Court</i>	<i>Discipline</i>	<i>Number of Times</i>
Jefferson, King, Kitsap, Klicitat, Lewis, Mason, Pacific, Pierce, San Juan, Skamania, Snohomish, and Thurston Counties		

EMPLOYMENT HISTORY		
<i>Employer</i>	<i>Job Title</i>	<i>Date</i>
Las Vegas Metropolitan Police Department	Firearm/Toolmark Examiner	1998 – Present
Washington State Patrol	Forensic Scientist	1991 – 1998
Pierce County Sheriff's Department	Identification Officer	1986 – 1991
Seattle Police Department	Identification Technician	1984 – 1986
Orange County Sheriff's Department	Forensic Specialist	1981 – 1984
Anaheim Police Department	Identification Technician	1981

PROFESSIONAL AFFILIATIONS	
<i>Organization</i>	<i>Date(s)</i>
Association of Firearm and Toolmark Examiners	1993 – Present
International Association of Bloodstain Pattern Analysts	1991 – Present
Washington State Law Enforcement Firearms Instructors Association	1994 – 1998

PUBLICATIONS / PRESENTATIONS:
<i>BRI 12 GA/500 Sabot Bullet – AFTE Journal – October 1983</i>
<i>Trigger Pull Statistics – AFTE Journal – January 1985</i>
<i>Drop Testing a 45 Auto Colt 1911 – AFTE Journal – Spring 1997</i>

OTHER QUALIFICATIONS:

JAMES KRYLO
LVMPD P#5945
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LAS VEGAS CRIMINALISTICS BUREAU STATEMENT OF QUALIFICATIONS

Name: **LARRY R. MORTON**

P# **4935**

Date: **10/24/97**

CURRENT CLASSIFICATION		
	<i>CLASSIFICATION</i>	<i>MINIMUM QUALIFICATIONS</i>
	Crime Scene Analyst I	AA degree with major course work in criminal justice, forensic science, physical science or related field, including specialized training in crime scene investigation
X	Crime Scene Analyst II	18 months - 2 years continuous service with LVMPD as a Crime Scene Analyst I
	Senior Crime Scene Analyst	2 years as a Crime Scene Analyst II to qualify for the promotional test for Senior Crime Scene Analyst
	Crime Scene Analyst Supervisor	4 years continuous service with LVMPD and completion of probation as a Senior Crime Scene Analyst. Must have the equivalent of a bachelor's degree from an accredited college or university with major course work in criminal justice, forensic science, physical science or related field.

FORMAL EDUCATION		
<i>Institution</i>	<i>Major</i>	<i>Degree/Date</i>
San Diego City College	Criminal Justice	1975

ADDITIONAL TRAINING/SEMINARS		
<i>Course / Seminar</i>	<i>Hours</i>	<i>Date</i>
University of the State of New York	AA	09/20/74
Introductory Crime Scene Analyst Training	40	04/07/95
Range Training	2.5	04/17/95
FATS Training	2	05/09/95
Range Training	1	08/25/95
Courtroom Skills and Tactics - Video	.50	11/29/95
New Civilian Orientation	7	12/05/95
New Civilian Employee Orientation	7	12/05/95
Crime Scene Preservation & Investigation	4	03/26/96
Applied Neurolinguistic Programming	8	06/03/96
Forensic Tech for Law Enforcement	2	08/21/96
Crime Scene Technology II	40	09/23/96 - 09/27/96

LARRY R. MORTON
LVMPD P#4935
Curriculum Vitae
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Top Gun Training		21	03/03/97 – 03/06/97
Civilian Use of Force & Firearm Training		21	03/19/97, 03/20/97 & 03/26/97
TESTIMONY			
Yes	No		
X		Eighth Judicial District, Clark County Nevada	
	X	Justice Courts of Las Vegas Township	
EMPLOYMENT HISTORY			
<i>Employer</i>		<i>Title</i>	<i>Date</i>
Las Vegas Metropolitan Police Department		Crime Scene Analyst	04/95 – Present
Plaza Hotel-Las Vegas		Security Officer	08/94 – 04/95
San Diego Police Department		Police Officer	1975 – 1994

LARRY R. MORTON
LVMPD P#4935
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LAS VEGAS CRIMINALISTICS BUREAU

STATEMENT OF QUALIFICATIONS

Name:	FRANCIS R. PULLIAM	P#	5412	Date:	October 24, 1997
CURRENT CLASSIFICATION					
	<i>CLASSIFICATION</i>	<i>MINIMUM QUALIFICATIONS</i>			
X	CRIME SCENE ANALYST I	AA DEGREE WITH MAJOR COURSE WORK IN CRIMINAL JUSTICE, FORENSIC SCIENCE, PHYSICAL SCIENCE OR RELATED FIELD, INCLUDING SPECIALIZED TRAINING IN CRIME SCENE INVESTIGATION			
	CRIME SCENE ANALYST II	18 MONTHS - 2 YEARS CONTINUOUS SERVICE WITH LVMPD AS A CRIME SCENE ANALYST I			
	SENIOR CRIME SCENE ANALYST	2 YEARS AS A CRIME SCENE ANALYST II TO QUALIFY FOR THE PROMOTIONAL TEST FOR SENIOR CRIME SCENE ANALYST			
	CRIME SCENE ANALYST SUPERVISOR	4 YEARS CONTINUOUS SERVICE WITH LVMPD AND COMPLETION OF PROBATION AS A SENIOR CRIME SCENE ANALYST. MUST HAVE THE EQUIVALENT OF A BACHELOR'S DEGREE FROM AN ACCREDITED COLLEGE OR UNIVERSITY WITH MAJOR COURSE WORK IN CRIMINAL JUSTICE, FORENSIC SCIENCE, PHYSICAL SCIENCE OR RELATED FIELD.			
FORMAL EDUCATION					
<i>Institution</i>		<i>Major</i>		<i>Degree/ Date</i>	
TESTIMONY					
<i>Yes</i>	<i>No</i>				
	X	Eighth Judicial District, Clark County Nevada			
	X	Justice Courts of Las Vegas Township			

EMPLOYMENT HISTORY		
<i>Employer</i>	<i>Title</i>	<i>Date</i>
LAS VEGAS METROPOLITAN POLICE DEPARTMENT	CRIME SCENE ANALYST	1/97 present
MISSOULA POLICE DEPT. MT	CAPTAIN (5 YRS. I.D. SGT., 1 YR. DETECTIVE SGT)	1970- 1990
PROFESSIONAL AFFILIATIONS		
<i>Organization</i>		<i>Date(s)</i>

CURRICULUM VITAE

GARY DEAN TELGENHOFF, M.S., D.O.

Home Address:

1700 Alta Drive
Apt. 1071 Las
Vegas, NV 89106
(702) 383-7016

Office Address:

Office of the Coroner/Medical Examiner
1704 Pinto Ln.
Las Vegas, NV 89106
(702) 455-3210
E-mail: gte@co.clark.nv.us
Fax: (702) 455-0416

CERTIFICATIONS

- National Osteopathic Boards, parts I, II & III.
- Anatomic Pathology, American Board of Pathology

LICENSURE

- State of Ohio and Nevada

EMPLOYMENT

- Deputy Medical Examiner/Forensic Pathologist – Clark County Coroner's Office.
Las Vegas, Nevada 8/1/98 – Present.
- Deputy Coroner/Forensic Pathologist – Montgomery County Coroner's Office
Dayton, Ohio 7/1/97 – 6/30/98.

EDUCATION

FELLOWSHIP:

- Forensic Pathology, Montgomery County Coroner's
Office, Dayton, Ohio 7/97 – 6/30/98.

RESIDENCY:

- Pathology (AP)
Medical College of Ohio at Toledo and Mercy Hospital
Toledo, Ohio 8/95 – 6/97.
- Elective, Forensic Pathology (6 months)
Lucas County Coroner's Office

- Toledo, Ohio.
- Pathology (AP/CP)
Cleveland Clinic Foundation
Cleveland, Ohio, 7/93 – 6/95.
- Forensic Training (1 month)
Cayahoga County Coroner's Office
Cleveland, Ohio.

INTERNSHIP:

- Transitional/rotating
Ingham Medical Center
Lansing, Michigan, 7/92 – 6/93.

MEDICAL SCHOOL:

- 9/88 – 6/92
D.O.
College of Osteopathic Medicine
Michigan State University
East Lansing, Michigan
95th percentile.

GRADUATE SCHOOL:

- 8/86 – 10/89
M.S. Biology/Physiology
Eastern Michigan University
Ypsilanti, Michigan

UNDERGRADUATE:

- 9/75 – 6/79
B.A. Biology/Chemistry
Spring Arbor College
Spring Arbor, Michigan,

Magna Cum Laude.

OTHER:

Electron Microscopy: Eastern Michigan University, 1988. Autopsy Electives, medical school and internship, Sparrow Hospital and Ingham Medical Center, Lansing, Michigan, 1989, 1993. Electronics: Wexford/Missaukee Vocational School, 1975.

ABSTRACTS:

- **Telgenhoff GD, Nine, JS.** "A Fatal Automobile Accident Following an Anaphylactic Reaction to Bee Venom." Submitted for poster presentation at *The American Academy of Forensic Sciences*,

March 1998 meeting.

RESEARCH:

- **Telgenhoff GD, Renk C.** "The Effect of Exercise Stress on the Mitogen-Stimulated Proliferation of Peripheral Blood Lymphocytes." Eastern Michigan University. Funded by the School of Clinical Laboratory Sciences, Department of Biology and the National Science Foundation. 10/89.

HONORS AND AWARDS:

- **Dean's List:** four years undergraduate, one-year post-graduate and two years graduate.
- **National Dean's List:** 1979, 1987, 1988.

FORMAL PRESENTATIONS:

- **"Electrical Injury; a forensic perspective."** Scientific Day, Medical College of Ohio, 5/97.
- **"Coccidioidomycosis; review and update."**
Grand Rounds; Medical College of Ohio, 9/95.
Grand Rounds; Cleveland Clinic Foundation, 4/95
- **"IgM Nephropathy; a distinct Clinicopathologic entity?"**
Grand Rounds; Medical College of Ohio, 3/97.
Grand Rounds; Cleveland Clinic Foundation, 5/94.
- **"Primary, Diffuse, Leptomenigeal Gliomatosis."**
Scientific Day, Medical College of Ohio, 4/96.
- Numerous microbiology, internal medicine, hematology, surgical, tumor board, radiology, and morbidity and mortality conferences:
Medical College of Ohio, Mercy Hospital, Toledo 8/95 – 6/97.
Cleveland Clinic Foundation, Cleveland, 7/93 – 6/95.

CONFERENCES AND COURSES ATTENDED:

- Practical Homicide Investigation, Las Vegas, Nevada. 5/99.
- Second Annual Pediatric Forensic Issues, San Diego, California. 10/98.
- Evidence Technician Course, Montgomery County Crime Lab, Dayton, Ohio. 10/1/97 – 10/31/97.
- American Academy of Forensic Sciences:
 - Nashville, Tennessee. 2/96.
 - San Francisco, California. 2/98.
- American Society of Clinical Pathologists:
 - Orlando, Florida. 5/95.

TEACHING APPOINTMENTS:

- **Staff Instructor of Medical Students, Residents, Law enforcement students, Pathology assistant and investigation reservists.**
Clark County Coroner's Office. 8/1/98 – present.
- **Clinical Faculty, Pathology:** School of Medicine, Wright State University. Dayton, Ohio. 7/97 – 6/98.
- **Resident Instructor of Pathology Laboratories:** Medical College of Ohio, Toledo, Ohio. 8/95 – 6/97.

- **Resident Instructor of Medical Technology Students:** Cleveland Clinic Foundation, Cleveland, Ohio. 7/93 – 6/95.
- **Resident Instructor of Medical Students:** Cleveland Clinic Foundation, Cleveland, Ohio. 7/93 – 6/95.
- **Teaching Assistant:** Medical students, histology. College of Osteopathic Medicine, Michigan State University, 9/88 – 12/88.
- **Medical Student Tutor:** Histology, Immunology, Physiology and Neuroanatomy. College of Osteopathic Medicine, Michigan State University, 9/88 – 6/90.
- **Graduate Teaching Assistant of Nursing Students:** Human Gross Anatomy, physiology and histology. Eastern Michigan University, Ypsilanti, Michigan. 9/86 – 6/88.
- **Teaching Assistant:** Genetics, Microbiology, Botany. Spring Arbor College, Spring Arbor, Michigan. 9/78 – 6/79.

OTHER EXPERIENCE:

- **Cardiac Research Assistant:** Cleveland Clinic Foundation, 7/93 – 6/95.
- **Autopsy Pathologist ("moon-lighting"):** Cleveland, Ohio, 7/94 – 6/95.
- **Autopsy Assistant (diener):** Veteran's Administration Hospital, Ann Arbor, Michigan, 1988.
- **Phlebotomist:** Veteran's Administration Hospital, Ann Arbor, Michigan, 1988.

PROFESSIONAL ORGANIZATIONS:

- Member, National Association of Medical Examiners (NAME).
- Provisional Member, American Academy of Forensic Sciences (AAFS).
- American Society of Clinical Pathologists (ASCP).

COMMITTEE APPOINTMENTS:

- Child Death Review Board, Las Vegas, Nevada, 8/98 – present.

OTHER EMPLOYMENT/EXPERIENCE:

- Full-time, professional musician, 1979 – 1989.
- Part-time, professional musician, 1994 – present.

INTERESTS:

Photography, music, travel, hiking, camping, downhill and cross-country skiing, oil and acrylic painting.

PERSONAL:

- **Birthdate** 8/3/57
- **Birthplace** Cadillac, Michigan
- **Marital Status** Single

1 **NOT**
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

8 THE STATE OF NEVADA,
9
10 Plaintiff,
11
12 -vs-
13 DAMON LAMAR CAMPBELL,
14 #1196647
15 SHELDON HOLLIMON,
16 #1203836
17
18 Defendants.

Case No. C169550/C170186
Dept. No. XV

SUPPLEMENTAL

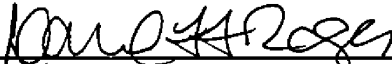
NOTICE OF WITNESSES
[NRS 174.234(1)(b)]

19 TO: DAMON LAMAR CAMPBELL and SHELDON HOLLIMON,
20 Defendants; and
21 TO: STANLEY A. WALTON, ESQ., DAVID M. SCHIECK, ESQ., and
22 SPECIAL PUBLIC DEFENDER'S OFFICE, Counsels of Record:
23 YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the STATE OF
24 NEVADA intends to call the following witnesses in its case in chief:

<u>NAME</u>	<u>ADDRESS</u>
AOKI, MINO	LVMPD #1592
BEAUDETTE, FRANCIS	LVMPD #4361
CARPENTER, J.	LVMPD #5003

RECEIVED
SEP 17 2008
COUNTY CLERK

1	FAULIS, J.	LVMPD #4764
2	FORD, ALLEN	PAROLE & PROBATION
3	GOMEZ, HUMBERTO	2920 POPLAR, #1 LAS VEGAS, NV
4	GUENTHER, ED	LVMPD #5891
5	HEFNER, KEN	LVMPD #2185
6	JUAREZ, ROBERTO	LVMPD #3831
7	KRYLO, JIM	LVMPD #5945
8	LEE, R.	LVMPD #3290
9	LOVETT, JAMES	UNIVERSITY MEDICAL CENTER
10	MARIN, THOMAS	LVMPD #2894
11	MARTINEZ, AGUSTIN	2730 MARLIN #3 LAS VEGAS, NV
12	MARTINEZ, LEONARDO	2730 MARLIN, #3 LAS VEGAS, NV
13	MATTHEWS, C.	LVMPD #3665
14	MCNETT, MARK	LVMPD #3550
15	MENDENDEZ, WILFREDO	2937 ELM AVE., #3 LAS VEGAS, NV
16	MENDENDEZ, MARIO	2937 ELM AVE., #3 LAS VEGAS, NV
17	MORTON, LARRY	LVMPD #4935
18	MUNSON, GREG	LVMPD #5847
19	NELLIS, B.	LVMPD #4429
20	PEARNS, P.	LVMPD #2823
21	PULLIAM, FRANCES	LVMPD #5412
22	RAPAGLIA, ALISSA	2933 ELM AVE., #2 LAS VEGAS, NV
23	RIBACK, S.	LVMPD #5749
24	TELGENHOFF, GARY	1704 PINTO LN - CORONER LAS VEGAS, NV
25		
26		
27		
28		

1 VILLANUEVA, NOE 2929 ELM ST., #1
2 LAS VEGAS, NV
3 VILLANUEVA, SIMON 2929 ELM ST., #1
4 LAS VEGAS, NV
5 VILLANUEVA, CARLOS 2929 ELM ST., #1
6 LAS VEGAS, NV
7 VILLANUEVA, RIGOBERTO 2929 ELM ST., #1
8 LAS VEGAS, NV
9 WEISKOPF, J. LVMPD #5130
10 WEST, THERESA 2933 ELM AVE., #2
11 LAS VEGAS, NV
12 WHEATON, KENNETH PAROLE & PROBATION
13 WOLFE, CAROLYN LVMPD #2873
14
15 These witnesses are in addition to those witnesses endorsed on the Information and any
16 other witness for which a separate Notice has been filed.
17
18 STEWART L. BELL
19 DISTRICT ATTORNEY
20 Nevada Bar #000477
21
22 BY 
23 DAVID J.J. ROGER
24 Chief Deputy District Attorney
25 Nevada Bar #002781
26
27
28

ORIGINAL

7

1 **NOTC**
2 PHILIP J. KOHN
3 CLARK COUNTY SPECIAL PUBLIC DEFENDER
4 Nevada Bar #0556
5 ALZORA B. JACKSON
6 DEPUTY SPECIAL PUBLIC DEFENDER
7 Nevada Bar #2255
8 309 South Third Street, 4th Floor
9 Las Vegas, NV 89155-2316
10 (702) 455-6265
11 Attorney for Defendant

FILED
OCT 17 10 13 AM '01
Shirley E. Burroughs
CLERK

8 DISTRICT COURT
9 CLARK COUNTY, NEVADA

11 THE STATE OF NEVADA,) CASE NO. C170186
12)
13 Plaintiff,) DEPT. NO. XV
14)
15 vs.)
16)
17 SHELDON HOLLIMON,)
18)
19 Defendant.)

20 **NOTICE OF EXPERT WITNESS**
21 **[NRS 174.089(2)]**

22 TO: THE STATE OF NEVADA, Plaintiff; and
23 TO: DAVID J. ROGER, Deputy District Attorney,
24 YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that SHELDON
25 HOLLIMON intends to call an expert witness in its case in chief as follows:
26 WILLIAM DRURY, O.D.- Expert in Optometry.

27 ////
28 ////
29 ////
30 ////
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32 ////

COUNTY CLERK

OCT 17 2001

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SPECIAL PUBLIC
DEFENDER

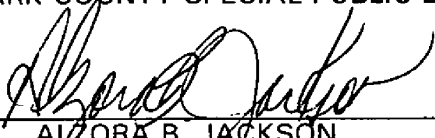
CLARK COUNTY
NEVADA

1 The substance of the expert witness' testimony will be regarding the
2 defendant's vision limitations and his course of treatment

3 DATED this 17th day of October, 2001.

4 PHILIP J. KOHN
5 CLARK COUNTY SPECIAL PUBLIC DEFENDER

6
7 By


ALZORA B. JACKSON
DEPUTY SPECIAL PUBLIC DEFENDER
NEVADA BAR #2255
309 SOUTH THIRD STREET, 4TH FLOOR
LAS VEGAS, NEVADA 89155-2316
(702) 455-6265

11
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19
20
21 RECEIPT OF A COPY of the foregoing **Notice of Expert Witness** is hereby
22 acknowledged this 17th day of October, 2001.

23 STEWART L. BELL
24 CLARK COUNTY DISTRICT ATTORNEY

25
26 By



ORIGINAL

1 **NOTC**
2 PHILIP J. KOHN
3 SPECIAL PUBLIC DEFENDER
4 Nevada Bar No. 000556
5 ALZORA B. JACKSON
6 DEPUTY SPECIAL PUBLIC DEFENDER
7 Nevada Bar No. 002255
8 309 S. Third Street, Fourth Floor
9 Las Vegas, Nevada 89155
10 (702) 455-6265
11 Attorneys for Defendant

FILED

OCT 30 3 18 PM '01

Philip J. Kohn
CLERK

8 DISTRICT COURT
9 CLARK COUNTY, NEVADA

11 THE STATE OF NEVADA,
12 Plaintiff,

13 vs.

14 SHELDON HOLLIMON,
15 #1203836
16 Defendant.

CASE NO: C170186
DEPT NO: V

DATE OF HEARING: 11/05/01
TIME OF HEARING: 1:30 p.m.

17 NOTICE OF WITNESSES
18 [NRS 174.234 (1)(b)]

19 TO: THE STATE OF NEVADA, Plaintiff, and

20 TO: STEWART L. BELL, District Attorney, Attorney for Plaintiff

21 YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the Defendant,
22 SHELDON HOLLIMON, by and through his attorneys, PHILIP J. KOHN, Special Public
23 Defender, ALZORA B. JACKSON, Deputy Special Public Defender intends to call the
24 following witnesses in its case in chief:
25 ...
26 ...
27 ...
28 ...

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OCT 30 2PM
COUNTY CLERK

SPECIAL PUBLIC
DEFENDER
CLARK COUNTY
NEVADA

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NAME

ADDRESS

Allissa Mia Rapaglia

Address Unknown

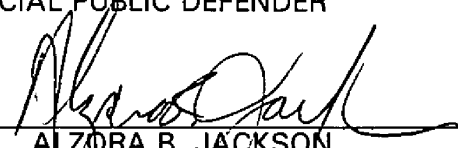
Theresa West

Address Unknown

DATED this 30th day of October, 2001.

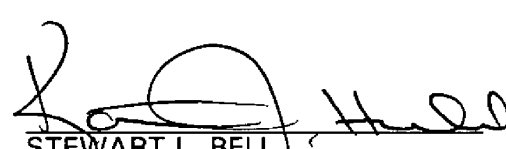
PHILIP J. KOHN
SPECIAL PUBLIC DEFENDER

By:


ALZORA B. JACKSON
Deputy Special Public Defender
State Bar No. 002255
309 South Third Street
P.O. Box 552316
Las Vegas, NV 89155
(702)455-6265
Attorney for Defendant

RECEIPT OF COPY

RECEIPT OF COPY of the foregoing **NOTICE OF WITNESSES** is hereby
acknowledged this 30th day of October, 2001.


STEWART L. BELL
DISTRICT ATTORNEY
200 S. Third Street
Las Vegas, NV 89155

1 NOT
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

FILED
OCT 30 9 49 AM '01
Shirley B. Ruggins
CLERK

8 THE STATE OF NEVADA,
9 Plaintiff,

10 -vs-

11 DAMON LAMAR CAMPBELL,
12 #1196647
13 SHELDON HOLLIMON,
14 #1203836

15 Defendants.

Case No. C169550 C170186
Dept. No. XV

C170186

16 SECOND SUPPLEMENTAL

17 NOTICE OF WITNESSES
18 [NRS 174.234(1)(b)]

19 TO: DAMON LAMAR CAMPBELL and SHELDON HOLLIMON,
20 Defendants; and

21 TO: STANLEY A. WALTON, ESQ., DAVID M. SCHIECK, ESQ., and
22 SPECIAL PUBLIC DEFENDER'S OFFICE, Counsels of Record:

23 YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the STATE OF
24 NEVADA intends to call the following witnesses in its case in chief:

25	<u>NAME</u>	<u>ADDRESS</u>
26	MARTEL, DAVID	LVMPD #5816

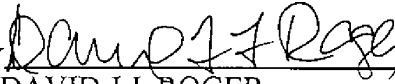
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OCT 30 2001
COUNTY CLERK

1 These witnesses are in addition to those witnesses endorsed on the Information and any
2 other witness for which a separate Notice has been filed.

3 STEWART L. BELL
4 DISTRICT ATTORNEY
5 Nevada Bar #000477

6 BY 
7 DAVID J.J. ROGER
8 Chief Deputy District Attorney
9 Nevada Bar #002781
10

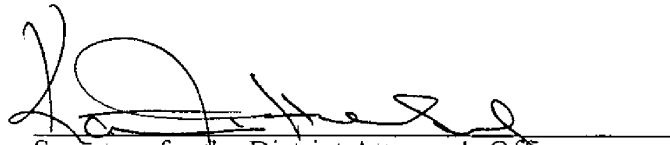
11 **CERTIFICATE OF FACSIMILE TRANSMISSION**

12 I hereby certify that service of SECOND SUPPLEMENTAL NOTICE OF WITNESSES,
13 was made this 30th day of October, 2001, by facsimile transmission to:

14 STANLEY A. WALTON, ESQ.
15 ATTORNEY FOR DEFENDANT
16 DAMON LAMAR CAMPBELL
17 FAX #383-8245

18 DAVID M. SCHIECK, ESQ.
19 ATTORNEY FOR DEFENDANT
20 DAMON LAMAR CAMPBELL
21 FAX #386-2687

22 SPECIAL PUBLIC DEFENDER'S OFFICE
23 ATTORNEY FOR DEFENDANT
24 SHELDON HOLLIMON
25 FAX #455-6273

26 
27 Secretary for the District Attorney's Office
28

Original

1 IND

2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

FILED IN OPEN COURT
NOV 05 2001

SHIRLEY B. PARRAGUIRRE, CLERK
BY *Melissa Davis*

DEPUTY

MELISSA DAVIS

DISTRICT COURT
CLARK COUNTY, NEVADA

7 THE STATE OF NEVADA,
8 Plaintiff,

9 -vs-

10 SHELTON HOLLIMON,
11 #1203836

12 Defendant.

Case No. C170186
Dept No. ~~IV~~ XV

AMENDED
INDICTMENT

14 STATE OF NEVADA }
15 COUNTY OF CLARK } ss:

16 The Defendant(s) above named, SHELTON HOLLIMON, is accused by the Clark
17 County Grand Jury of the crime of **ACCESSORY TO MURDER (Felony - NRS 195.040,**
18 **200.010)**, committed at and within the County of Clark, State of Nevada, on or about the 22nd
19 day of July, 2000, as follows: did wilfully, unlawfully, and feloniously harbor, conceal, or aid
20 DAMON LAMAR CAMPBELL, with intent that the said DAMON LAMAR CAMPBELL
21 might avoid or escape from arrest, trial, conviction, or punishment, having knowledge that the
22 said DAMON LAMAR CAMPBELL had committed a felony, to-wit: Murder, and was liable
23 to arrest therefore.

24 STEWART L. BELL
25 DISTRICT ATTORNEY
26 Nevada Bar #000477

27 BY *David J.J. Roger*
DAVID J.J. ROGER
Chief Deputy District Attorney
Nevada Bar #002781

RECEIVED
NOV - 5 2001
COUNTY CLERK

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1 IND
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

FILED IN OPEN COURT
NOV 05 2001

SHIRLEY B. PARRAGUIRRE, CLERK
BY *Melissa Davis*

DEPUTY

MELISSA DAVIS

DISTRICT COURT
CLARK COUNTY, NEVADA

7 THE STATE OF NEVADA,
8 Plaintiff,

9 -vs-

10 SHELTON HOLLIMON,
11 #1203836

12 Defendant.

Case No. C170186
Dept No. *IV XV*

AMENDED
INDICTMENT

14 STATE OF NEVADA }
15 COUNTY OF CLARK } ss:

16 The Defendant(s) above named, SHELTON HOLLIMON, is accused by the Clark
17 County Grand Jury of the crime of **ACCESSORY TO MURDER (Felony - NRS 195.040,**
18 **200.010)**, committed at and within the County of Clark, State of Nevada, on or about the 22nd
19 day of July, 2000, as follows: did wilfully, unlawfully, and feloniously harbor, conceal, or aid
20 DAMON LAMAR CAMPBELL, with intent that the said DAMON LAMAR CAMPBELL
21 might avoid or escape from arrest, trial, conviction, or punishment, having knowledge that the
22 said DAMON LAMAR CAMPBELL had committed a felony, to-wit: Murder, and was liable
23 to arrest therefore.

24 STEWART L. BELL
25 DISTRICT ATTORNEY
26 Nevada Bar #000477

27 BY *David J.J. Roger*
DAVID J.J. ROGER
Chief Deputy District Attorney
Nevada Bar #002781

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COUNTY CLERK

511

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1 **GMEM**
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

FILED IN OPEN COURT

NOV 05 2001

SHIRLEY B. PARRAGUIRRE, CLERK
BY *[Signature]*

MELISSA DAVIS DEPUTY

DISTRICT COURT
CLARK COUNTY, NEVADA

8 THE STATE OF NEVADA,
9 Plaintiff,

10 -vs-

11 SHELDON HOLLIMON,
12 #1203836

13 Defendant.
14

Case No. C170186
Dept. No. IV XJ
Docket

15 **GUILTY PLEA AGREEMENT**

16 I hereby agree to plead guilty to: **ACCESSORY TO MURDER (Felony - NRS 195.040,**
17 **200.010)**, as more fully alleged in the charging document attached hereto as Exhibit "1".

18 My decision to plead guilty is based upon the plea agreement in this case which is as
19 follows:

20 The State will make no recommendation at rendition of sentence.

21 **CONSEQUENCES OF THE PLEA**

22 I understand that by pleading guilty I admit the facts which support all the elements of
23 the offense(s) to which I now plead as set forth in Exhibit "1".

24 I understand that as a consequence of my plea of guilty the Court must sentence me to
25 imprisonment in the Nevada State Prison for a minimum term of not less than ONE (1) year and
26 a maximum term of not more than FIVE (5) years. The minimum term of imprisonment may not
27 exceed forty percent (40%) of the maximum term of imprisonment. I understand that I may also
28 be fined up to \$1,000. I understand that the law requires me to pay an Administrative

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COUNTY CLERK

1 Assessment Fee.

2 I understand that, if appropriate, I will be ordered to make restitution to the victim of the
3 offense(s) to which I am pleading guilty and to the victim of any related offense which is being
4 dismissed or not prosecuted pursuant to this agreement. I will also be ordered to reimburse the
5 State of Nevada for any expenses related to my extradition, if any.

6 I understand that I am eligible for probation for the offense to which I am pleading guilty.
7 I understand that, except as otherwise provided by statute, the question of whether I receive
8 probation is in the discretion of the sentencing judge.

9 I understand that if more than one sentence of imprisonment is imposed and I am eligible
10 to serve the sentences concurrently, the sentencing judge has the discretion to order the sentences
11 served concurrently or consecutively.

12 I also understand that information regarding charges not filed, dismissed charges, or
13 charges to be dismissed pursuant to this agreement may be considered by the judge at sentencing.

14 I have not been promised or guaranteed any particular sentence by anyone. I know that
15 my sentence is to be determined by the Court within the limits prescribed by statute. I
16 understand that if my attorney or the State of Nevada or both recommend any specific
17 punishment to the Court, the Court is not obligated to accept the recommendation.

18 I understand that the Division of Parole and Probation will prepare a report for the
19 sentencing judge prior to sentencing. This report will include matters relevant to the issue of
20 sentencing, including my criminal history. This report may contain hearsay information
21 regarding my background and criminal history. My attorney and I will each have the opportunity
22 to comment on the information contained in the report at the time of sentencing. Unless the
23 District Attorney has specifically agreed otherwise, then the District Attorney may also comment
24 on this report.

25 **WAIVER OF RIGHTS**

26 By entering my plea of guilty, I understand that I am waiving and forever giving up the
27 following rights and privileges:

28 1. The constitutional privilege against self-incrimination, including the right to refuse to

1 testify at trial, in which event the prosecution would not be allowed to comment to the jury about
2 my refusal to testify.

3 2. The constitutional right to a speedy and public trial by an impartial jury, free of
4 excessive pretrial publicity prejudicial to the defense, at which trial I would be entitled to the
5 assistance of an attorney, either appointed or retained. At trial the State would bear the burden
6 of proving beyond a reasonable doubt each element of the offense charged.

7 3. The constitutional right to confront and cross-examine any witnesses who would
8 testify against me.

9 4. The constitutional right to subpoena witnesses to testify on my behalf.

10 5. The constitutional right to testify in my own defense.

11 6. The right to appeal the conviction, with the assistance of an attorney, either appointed
12 or retained, unless the appeal is based upon reasonable constitutional jurisdictional or other
13 grounds that challenge the legality of the proceedings and except as otherwise provided in
14 subsection 3 of NRS 174.035.

15 **VOLUNTARINESS OF PLEA**

16 I have discussed the elements of all of the original charge(s) against me with my attorney
17 and I understand the nature of the charge(s) against me.

18 I understand that the State would have to prove each element of the charge(s) against me
19 at trial.

20 I have discussed with my attorney any possible defenses, defense strategies and
21 circumstances which might be in my favor.

22 All of the foregoing elements, consequences, rights, and waiver of rights have been
23 thoroughly explained to me by my attorney.

24 I believe that pleading guilty and accepting this plea bargain is in my best interest, and
25 that a trial would be contrary to my best interest.

26 I am signing this agreement voluntarily, after consultation with my attorney, and I am not
27 acting under duress or coercion or by virtue of any promises of leniency, except for those set
28 forth in this agreement.

1 I am not now under the influence of any intoxicating liquor, a controlled substance or
2 other drug which would in any manner impair my ability to comprehend or understand this
3 agreement or the proceedings surrounding my entry of this plea.

4 My attorney has answered all my questions regarding this guilty plea agreement and its
5 consequences to my satisfaction and I am satisfied with the services provided by my attorney.

6 DATED this 2nd day of November, 2001.

7
8 Sheldon Hollimon
9 SHELDON HOLLIMON
10 Defendant

11 AGREED TO BY:

12
13 Donna F. Rogers
14 Deputy District Attorney
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1 CERTIFICATE OF COUNSEL:

2 I, the undersigned, as the attorney for the Defendant named herein and as an officer of
3 the court hereby certify that:

4 1. I have fully explained to the Defendant the allegations contained in the charge(s) to
5 which guilty pleas are being entered.

6 2. I have advised the Defendant of the penalties for each charge and the restitution that
7 the Defendant may be ordered to pay.

8 3. All pleas of guilty offered by the Defendant pursuant to this agreement are consistent
9 with the facts known to me and are made with my advice to the Defendant.

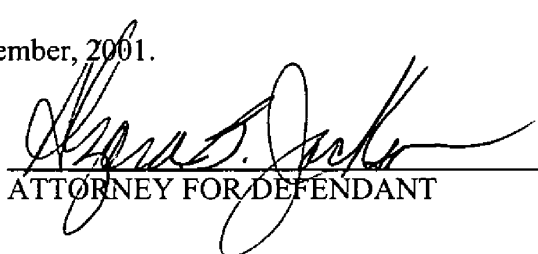
10 4. To the best of my knowledge and belief, the Defendant:

11 a. Is competent and understands the charges and the consequences of pleading
12 guilty as provided in this agreement.

13 b. Executed this agreement and will enter all guilty pleas pursuant hereto
14 voluntarily.

15 c. Was not under the influence of intoxicating liquor, a controlled substance or
16 other drug at the time I consulted with the defendant as certified in paragraphs 1
17 and 2 above.

18 Dated: This 9th day of November, 2001.

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ATTORNEY FOR DEFENDANT

1 LAS VEGAS, CLARK COUNTY, NEVADA, MON., NOV. 5, 2001

2 1:30 P.M.

3 -oOo-

4 P R O C E E D I N G S

5
6 THE COURT: This is the time set for
7 trial in the State of Nevada versus Hollimon and
8 Campbell. The Court has been informed that the
9 trial will be severed, and there is an amended
10 indictment which has been filed in open court as to
11 Sheldon Hollimon.

12 The record will reflect the presence of
13 the State through David Roger and Susan Pate. The
14 defendant Hollimon is present in custody with
15 Ms. Alzora Jackson.

16 Mr. Hollimon, do you have a copy of the
17 amended indictment charging you with accessory to
18 murder, a felony?

19 THE DEFENDANT: Yes, Your Honor.

20 THE COURT: Have you had a chance to
21 read that amended charge and discuss it with
22 Ms. Jackson?

23 THE DEFENDANT: Yes, Your Honor.

24 THE COURT: Would you like the clerk to
25 read that charge to you here this afternoon in open

1 court?

2 THE DEFENDANT: No, Your Honor.

3 THE COURT: How do you plead to
4 accessory to murder, sir, guilty or not guilty?

5 THE DEFENDANT: Guilty, Your Honor.

6 THE COURT: Before I may accept your
7 plea of guilt, I must be satisfied that your plea
8 is freely and voluntarily given. Do you make the
9 plea freely and voluntarily?

10 THE DEFENDANT: Yes, Your Honor.

11 THE COURT: Your attorney has handed me
12 a written guilty plea agreement signed by
13 yourself. Sir, before you signed that written plea
14 of guilt, did you read it and discuss it with
15 Ms. Jackson?

16 THE DEFENDANT: Yes, Your Honor.

17 THE COURT: Do you understand everything
18 contained in your written plea?

19 THE DEFENDANT: Yes, Your Honor.

20 THE COURT: Are there any questions that
21 you'd like to ask me, the district attorney or your
22 own attorney about your case before I would accept
23 your plea?

24 THE DEFENDANT: No, Your Honor.

25 THE COURT: Tell me, sir, in your own

MARY BETH COOK, CCR 268 (702)455-4288

1 words what you did here in Clark County on or about
2 July 22, 2000, last summer, that causes you to
3 plead guilty to accessory to murder.

4 THE DEFENDANT: 22nd of July myself
5 helped Damon Campbell try to hide after he told me
6 he had shot some people outside.

7 THE COURT: So you helped him hide?

8 THE DEFENDANT: I didn't call the police
9 or nothing.

10 THE COURT: Okay. And in addition to
11 pleading guilty to accessory to murder, sir, you
12 have entered into an agreement to testify in the
13 State of Nevada versus Mr. Campbell?

14 THE DEFENDANT: Yes, Your Honor.

15 THE COURT: All right. And,
16 Mr. Schieck, you have received a copy of the
17 agreement to testify?

18 MR. SCHIECK: No, we have not, Your
19 Honor, but we've been promised one. I briefly
20 glanced at it. I don't think there was enough
21 extra copies for us.

22 THE COURT: You may have this copy,
23 Mr. Schieck. And do you understand, Mr. Hollimon,
24 the terms of your agreement to testify?

25 THE DEFENDANT: Yes, Your Honor.

1 THE COURT: Are there any additional
2 things that we need to do concerning Mr. Hollimon?

3 MR. ROGER: Yes, Your Honor. Not stated
4 in the agreement is the provision that if he
5 declines to testify during this trial the State, at
6 its option, may move to withdraw the plea and he
7 will agree to the withdrawal of his guilty plea and
8 then proceed to trial in the original charges.

9 THE COURT: Is that set forth in the
10 agreement to testify?

11 MS. JACKSON: Your Honor, may the record
12 reflect that I have met with Mr. Hollimon twice
13 since striking the negotiated plea with Mr. Roger
14 and that has been thoroughly explained to him that
15 if he declines to testify that the plea will be
16 withdrawn or if he testifies falsely the plea will
17 be withdrawn; is that correct, Mr. Hollimon?

18 THE DEFENDANT: Yes.

19 THE COURT: And you fully understand
20 that, sir?

21 THE DEFENDANT: Yes.

22 THE COURT: All right. Thank you.

23 THE COURT: The Court finds that the
24 defendant's plea of guilt to accessory to murder is
25 freely and voluntarily given; further finds that

1 the defendant understands the nature of the offense
2 and the consequences of his plea, and therefore the
3 plea is accepted.

4 This matter is referred to the
5 Department of Parole and Probation for presentence
6 report, set over for entry of judgment and
7 imposition of sentence --.

8 THE CLERK: December 12, 8:30.

9 MR. ROGER: We'd ask that he be remanded
10 at the Clark County Detention Center. We'll need
11 him throughout the remainder of the trial.

12 THE COURT: Officer, you need to keep
13 him here for two weeks. He can't go back to NSP
14 until he's testified in this case, and we don't
15 know whether he'll be testifying tomorrow or the
16 next day but for sure not less than two weeks.

17 -oOo-

18 ATTEST: FULL, TRUE AND ACCURATE TRANSCRIPT.

19 
20 Mary Beth Cook, CCR No. 268, RPR

21
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MARY BETH COOK, CCR 268 (702)455-4288

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DOCUMENT,
NUMBERED PAGE(S)
223 - 231
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U.S. MAIL

1 JOC
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

9
FILED

DEC 26 1 54 PM '01

Shirley E. Langston
CLERK

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

SHELDON HOLLIMON,
#1203836

Defendant.

Case No. C170186
Dept. No. XV

JUDGMENT OF CONVICTION
(PLEA OF GUILTY)

The Defendant previously appeared before the Court herein with counsel and entered a plea of guilty to the crime(s) of ACCESSORY TO MURDER (Felony), in violation of NRS 195.040, 200.010; thereafter, on the 12th day of December, 2001, the Defendant was present in court for sentencing with his counsel, ALZORA JACKSON, Deputy Special Public Defender, and good cause appearing,

THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense(s) and, in addition to the \$25.00 Administrative Assessment Fee, the Defendant is sentenced as follows: to a

///

///

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DEC 26 2001

COUNTY CLERK

1 MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of FORTY EIGHT (48) MONTHS
2 in the Nevada Department of Corrections (NDC), CONCURRENT with C169976 and receive
3 60 days Credit for Time Served.

4 DATED this 24th day of December, 2001.

5
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7 _____
8 DISTRICT JUDGE

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DOCUMENTARY EXHIBITS

Grand Jury Case # 00AGJ037X

Exhibit # 1

Date 9/21/00 KYK

5

1 **IND**
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,

Plaintiff,

-vs-

11 SHELDON HOLLIMON,
12 #1203836

Defendant(s).

Case No.
Dept. No.
Docket

INDICTMENT

16 STATE OF NEVADA }
17 COUNTY OF CLARK } ss.

18 The Defendant(s) above named, SHELDON HOLLIMON, accused by the Clark County
19 Grand Jury of the crimes of **MURDER WITH USE OF A DEADLY WEAPON (Felony -**
20 **NRS 200.010, 200.030, 193.165)** and **ATTEMPT MURDER WITH USE OF A DEADLY**
21 **WEAPON (Felony - NRS 193.330, 200.010, 200.030, 193.165)**, committed at and within the
22 County of Clark, State of Nevada, on or about the 22nd day of July, 2000, as follows:

23 **COUNT I - MURDER WITH USE OF A DEADLY WEAPON**

24 Defendants DAMON LAMAR CAMPBELL and SHELDON HOLLIMON did then and
25 there wilfully, feloniously, without authority of law, and with premeditation and deliberation,
26 and with malice aforethought, kill ALBERTO MARTINEZ, a human being, by shooting at and
27 into the body of the said ALBERTO MARTINEZ, with a deadly weapon, to-wit: a firearm,
28 and/or by Defendant DAMON LAMAR CAMPBELL engaging in a course of conduct whereby

1 the killing occurred during the commission of an unlawful act, which, in its consequences,
2 naturally tended to destroy the life of a human being, or was committed in the prosecution of
3 felonious intent, by Defendant DAMON LAMAR CAMPBELL, aiming a firearm at ALBERTO
4 MARTINEZ and thereafter discharging the said firearm causing the death of the said ALBERTO
5 MARTINEZ; Defendant DAMON LAMAR CAMPBELL directly committing said acts and/or
6 Defendants DAMON LAMAR CAMPBELL and SHELDON HOLLIMON aiding or abetting
7 each other by acting in concert and/or DAMON LAMAR CAMPBELL and SHELDON
8 HOLLIMON being present before, during and after said acts and/or directly or indirectly
9 counseling, encouraging, assisting, hiring, commanding, inducing, procuring or supervising each
10 others actions; Defendants acting pursuant to a common conspiracy to commit murder.

11 COUNT II - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON

12 Defendants DAMON LAMAR CAMPBELL and SHELDON HOLLIMON did then and
13 there, without authority of law, and with malice aforethought, wilfully and feloniously attempt
14 to kill CARLOS VILLANUEVA, a human being, by the said Defendant shooting at the said
15 CARLOS VILLANUEVA, with a deadly weapon, to-wit: a firearm, Defendant DAMON
16 LAMAR CAMPBELL directly committing said acts and/or Defendants DAMON LAMAR
17 CAMPBELL and SHELDON HOLLIMON aiding or abetting each other by acting in concert
18 and/or DAMON LAMAR CAMPBELL and SHELDON HOLLIMON being present before,
19 during and after said acts and/or directly or indirectly counseling, encouraging, assisting, hiring,
20 commanding, inducing, procuring or supervising each others actions; Defendants acting pursuant
21 to a common conspiracy to commit murder.

22 COUNT III - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON

23 Defendants DAMON LAMAR CAMPBELL and SHELDON HOLLIMON did then and
24 there, without authority of law, and with malice aforethought, wilfully and feloniously attempt
25 to kill LEONARDO MARTINEZ, a human being, by the said Defendant shooting at the said
26 LEONARDO MARTINEZ, with a deadly weapon, to-wit: a firearm, Defendant DAMON
27 LAMAR CAMPBELL directly committing said acts and/or Defendants DAMON LAMAR
28 CAMPBELL and SHELDON HOLLIMON aiding or abetting each other by acting in concert

1 and/or DAMON LAMAR CAMPBELL and SHELDON HOLLIMON being present before,
2 during and after said acts and/or directly or indirectly counseling, encouraging, assisting, hiring,
3 commanding, inducing, procuring or supervising each others actions; Defendants acting pursuant
4 to a common conspiracy to commit murder.

5 DATED this _____ day of September, 2000.

6 STEWART L. BELL
7 DISTRICT ATTORNEY
8 Nevada Bar #000477

9 BY David J. Roger
10 DAVID J.J. ROGER
11 Chief Deputy District Attorney
12 Nevada Bar #002781

13 ENDORSEMENT: A True Bill

14 _____
15 Foreperson, Clark County Grand Jury
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Names of witnesses testifying before the Grand Jury:

DA#00AGJ037X/kjh
LVMPD EV#0007220165
MURDER W/WPN; ATT
MURDER W/WPN - F

Grand Jury Case # 00A6T037X

Exhibit # \$

Date 9/21/00 KY

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**PLEADING
CONTINUES
IN NEXT
VOLUME**